

## Athletes and Guests Attend Annual Sports Awards Banquet

As San Quentin athletes and their personally invited guests enjoyed the rare and special occasion of dining together on white-clothed tables, Joe Ratti was named San Quentin's Athlete of the year for 1980 during presentations at the annual Sports Award Banquet last Thursday, Jan. 8.

Ratti, who won awards in baseball and basketball — including basketball's Most Valuable Player of the Year — accepted the top trophy with a jubilant smile amid the cheers and applause of fellow cons and sportsmen.

Winner of the sportsmanship trophy for best attitude was Alton Williams, who also captured an award in baseball and took football's Most Valuable Defensive Lineman trophy.

For the guy with a lot of heart, the guy who never quits trying, the Goodlow Trophy was awarded this year to Jack Garfield, who also won a baseball certificate.

Making the presentations were T. L. Baker, supervisor of recreation, and his assistant, coach Mike Ferretti.

Clearly one of the most popular sports figures around the old Bastille, W. C. "Bone" Walker wore his own path up to the microphones to accept a baseball certificate, the football Team Captain trophy, and baseball's Most Valuable Player trophy.

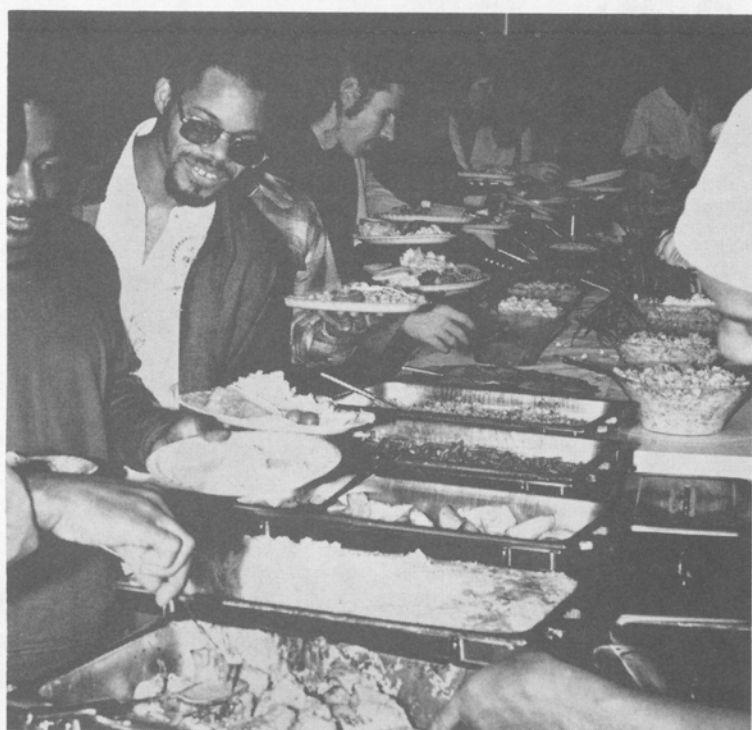
Another multiple-sport winner, Bobby Richards, received

an award in baseball and was named football's Most Valuable Defensive Back.

Other most valuable player trophies went to George

kidding from friends and guests greeted the award winners.

Also accepting certificates of achievement in baseball were



MAKE NO MISTAKE about it, this ain't mainline food—thanks to the snack bar crew!

McKinney for tennis, Johnny Van for handball, I. W. Johnson for boxing, "Dip" McCray for football, and "Tiny" Manning for offensive lineman.

An air of support and encouragement was evident during the ceremonies as bursts of applause and cheerful

Don Wilson, Will Humble, Bob Lindsley, Bill Bradford, Floyd Jones, Randy Cox, Doug Wisman, Franco Jones, Ruben Reynolds, and Fahane Radcliff.

Other basketball medallion winners were Walt Jackson,

Continued on page 4



CONS AND THEIR GUESTS enjoying each other's company while awaiting turn in line at the buffetstyle banquet.

## College Classes Get Under Way

The spring semester college classes through College of Marin will begin here at San Quentin Monday, Jan. 19.

According to Mr. Gary Durkee, supervisor of academic instruction, several of the classes are still open for enrollment — both during the day and at nighttime.

Daytime classes are pri-

marily for the benefit of Close B custody cons who are unable to make night movement.

To be eligible for college courses here, you must have either a high school diploma or a GED certificate.

Anyone interested in getting into these classes should contact Mr. Durkee in the education office.

Send Home the SQ News For \$1.00 Per Year

Subscription forms are available at the front counter in the education office. Submit forms in duplicate to Ms. Smith, supervising clerk.

**POPULATION COUNT**  
2,864  
Friday, January 16

## Drug Users Unlikely To Commit Violent Crime

A study of 20,632 persons arrested in Washington, D.C., found that drug users were less likely to be charged with a violent offense than non-drug users.

The study, released by the National Institute of Justice (NIJ), also reported that arrested drug users among the 1973-1974 sample of D.C. arrestees did not commit more crimes against the elderly than non-drug users, and drug-user arrestees committed fewer crimes against persons under 18 than non-drug users.

Arrested women drug users were not more likely to be prostitutes than non-drug-users, the study said, while drug-user and non-drug-user arrestees

were equally as likely to be charged with burglary, fraud/embezzlement, auto theft, and arson or property destruction.

The study did not support the theory that most women who are arrested and who are using drugs are involved in prostitution.

There was a slight increase in robbery rates among men and women arrestees who used drugs, and they also were more likely to skip bail.

The report — "An Analysis of Drugs and Crime Among Arrestees in the District of Columbia" — was conducted by the Institute for Law and Social Research (INSLAW), Washington, D.C., under a 15-month grant funded jointly by NIJ, which put up \$90,138, and the National Institute on Drug Abuse (NIDA), which put up \$75,000.

Eric D. Wish, a research psychologist for INSLAW and principal author of the study, emphasized the need for a cautious interpretation of the report because it was based only on data in Washington, D.C., and identification of drug users was based only on urinalysis results. Further, Mr. Wish also said it is generally agreed that only a small proportion of offenses result in arrests.

The study analyzed arrest data from the Prosecutor's Management Information System (PROMIS). Drug use was determined by urinalysis results from a program ad-

Continued on page 4

## Arson Suspected in Industry Area Fire

At 3 p.m. on Jan. 13 smoke was seen billowing from a dumpster used to store scrap wood from the furniture factory.

Within minutes, old reliable Engine No. 2 — manned by three of SQ's firemen — roared through the gate and screeched to a halt beside the burning refuse container. Off jumped the firemen; out rolled the hoses. Unfortunately, no stream of water came gushing from the truck.

Reports are that there was difficulty in getting the truck's pump to operate properly, so after several minutes of fruitless endeavor the seven guards and three firemen who had gathered decided to use the fire hydrant located next to the fire truck.

The smoldering walnut was extinguished within moments. The cause of the fire has yet to be determined, but reports are that arson is suspected.

## Sour Cows at Soledad?

Having received numerous inquiries about the peculiar odor and taste of the milk being served by the prison messhall, the News contacted Mr. Carey, the food manager here, to see what light he might shed on the problem.

Already quite aware of the situation, Mr. Carey informed us that he had called Soledad, our milk supplier, last week and was told by authorities there that they had taken bacteria counts on the milk, but with negative results.

"They have assured us that the milk is good," said Mr. Carey. "The problem is apparently due to the type of feed they have been using with the cows and are hoping a change of feed will remedy the situation."

That's a relief. Some cons here thought perhaps they were milking bulls by mistake.

## Dr. King Film To Be Shown

A film commemorating the birthday of the late, great Dr. Martin Luther King, Jr. will be shown in the Catholic chapel on Jan. 17.

This film is entitled "King: Montgomery to Memphis" and is reported to be an excellent film on the life of Dr. King — whose birthday was and will be remembered on Jan. 15.

Everyone is invited to attend the showing of the film on Jan. 17, and all interested parties should arrive at the chapel area by 12 noon.

## SQ Aliens Must Be Registered Jan. 31

All SQ residents who are not U.S. citizens will have to register on or before Jan. 31. Forms are available either through their counselors or at the pre-release office.

This registration is a mandatory, annual occurrence, and it should be noted that failure to comply is considered to be an infraction or violation of U.S. law and you could go to prison.

## 115 for Failure To Dump Trays

Officers working in the messhall have developed a policy of issuing a CDC 115 for men who do not dump their trays.

It has come to the News' attention that many men go to the messhall but do not eat. Therefore, it has been suggested that they take a tray when they enter the messhall. This, it is believed, will eliminate the possibility of being written up for not having a tray to dump.

WEEKEND MOVIE

**"Used Cars"**

This comedy centers around the rivalry between two brothers (both played by Jack Warden), who both own used-car lots on the same street, and on the games they run on each other and their customers. Also stars Kurt Russell and Deborah Harmon. Rated R.

MEXICAN MOVIE

**"Casa de las Palomas"**

Joan Lisector  
251 Clorinda Ave.  
San Rafael, CA.

94901

5/13/80

6/1/81

USPS 480-700



# The Other Side of the Coin . . .

By Ami Lonnroth

STOCKHOLM — Sweden, which has the most progressive judicial and penal system in the world, is beginning to revise its attitudes toward crime and punishment.

The number of reported offenses here has doubled the past decade. Yet the prison population has dropped by two-thirds during the same period. This apparent paradox is the result of a liberal policy that treats convicts as misguided unfortunates who must be reformed rather than be made to suffer.

The system is so lenient, in fact, that a joke among Swedes these days is that it is easier to get out of jail than to get in.

But lately, with the crime rate soaring, many Swedes are starting to propose a tougher approach, and the suggestion has touched off a lively debate on the subject.

It ought to be underlined that, compared to the United States and other modern societies, crime here is not a critical problem. Last year, for instance, for about 11,000 persons in a total Swedish population of 8 million were convicted — and only 32 percent were sentenced to more than four months in prison.

Violent crimes are rare. Fewer than 20 murders are committed in Sweden every year, and virtually nobody favors a return to capital punishment, which was abolished in 1921.

The rising crime rate is due to an increase in narcotic offenses, and this is prompting the courts to impose stiffer sentences. Within recent months, drug smugglers and addicts have been given terms ranging as high as 12 years.

As a consequence, the Swedish authorities are not only being compelled to build new prisons, but they also are under pressure to modify the present penal system, which frequently allows bank robbers, tax evaders and other convicts to play tennis, enjoy television in their cells, visit their families on weekends, and even vote.

Part of this pressure comes from conservatives, who blame drug crimes on the one million Turkish, Yugoslav and other immigrants who have been invited to Sweden to perform unskilled factory and other menial jobs that Swedes reject. These charges betray a hint of racism.

The call for a more rigorous system also reflects the fact that, despite the huge sums spent on vocational training and other forms of rehabilitation, the recidivism rate runs between 45 and 80 percent, depending on whether prisoners are in local or national jails.

But the growing skepticism about reforming criminals challenges the traditional conviction among Swedes that inmates really can improve themselves if they are treated with dignity and allowed to maintain contact with their friends and families.

Prison experts here believe that it is possible to be both tough and lenient at the same time, by separating inmates according to the severity of their crimes. Thus those convicted of minor offenses can be kept in minimum security institutions, while narcotics smugglers and other hardened criminals would be more restricted.

Oddly enough, many inmates prefer tougher incarceration, since the laxity of Sweden's prisons fails to serve as a deterrent to crime. Consider Anki, a Stockholm woman who has been in and out of jail for several years, and now is serving time for possessing hashish. As she told me:

"I'd rather sit in a cold cell, sharing bread and water with cockroaches, than be in one of these women's prisons, where everything is nice and comfy, and I can watch color television while knitting and chatting with other girls."

Or take the case of Bjorklund, who has spent most of his adult life behind bars and now is in jail for fraud. He heads the Central Organization of Prisoners, a nationwide lobby to air convict grievances. He said: "Maybe I function better inside than out. Sometimes I think I have found my true vocation here."

Anne-Britt Grunewald, one of Sweden's eight women warden, voices the rather unusual view for a Swede that imprisonment is aimed at discouraging crime rather than changing inmates.

In her estimation, Swedish criminals cease to break the law chronically for one of three reasons — they fall in love, become religious or grow too old.

She figures that most criminals here retire at the age of 30. Many die relatively young.

Sooner or later, however, Sweden will have to decide whether its enlightened judicial and penal system is working successfully — or whether, as more and more Swedes suspect, it is becoming an obsolete remnant of somewhat outmoded social dreams.

## —Did You Know?—

Prisoners in the California Department of Corrections may subscribe to the Prisoners Union Journal at no charge. Simply address requests to: Prisoners Union 1315 18th Street, San Francisco, CA 94107.

## STAR, Inc. Success Motivation Course

Star provides information on how you can achieve your goals.

Classes are held in the Jewish chapel Thursday nights from 6:20 to 9:20 p.m. The initial course is six weeks long. The advanced course is an additional six weeks.

Learn from convict instructors who know the "time-cycle game" and how to break it.

To sign up for STAR, contact Carl McQuillion, 1W33.

**ENROLL NOW!**

## Letters

Never write a letter to the editor when you're boiling mad. Give yourself 24 hours to find words that are just as strong but printable.

Dear Editor:

I have checked at the MAC office, prerelease, the north block, A Section, D Section, C Section, and the sergeant's office here in the west block — and no one seems to know what an "Inmate Subscription to the San Quentin News" form is, much less where I can get one.

I have been told that I cannot order the SQ News for friends unless I use this seemingly nonexistent form, as nothing else will be accepted.

Could you send me enough forms to enable me to send three subscriptions out? If you have them and wish to send enough to supply the west block, I will gladly see that they are put where they will be readily available to the population here.

Thank you for any help you may give.

Sincerely,

Gary L. Brown, 3-W-77

Dear Editor:

On Nov. 5, 1980, I came to San Quentin with a medical and returned to Folsom. A biopsy was done and found to be not cancerous. On Dec. 19 I was housed on the bayside of the east block — to await a bus returning to The Pit. However, on Dec. 21 I suffered a massive heart attack.

Were it not for the quick action of my cell partner, Mickey Verbos, in getting me rushed to the hospital, I may not have lived.

The night nurse, Mrs. Joey Upland, also has a vote of thanks coming. She had me out of the joint in record time and en route to Marin General Hospital.

Words will never be enough to tell these people how much I owe them. I feel they saved my life. For that, they will always have my undying gratitude.

Also, to all those who have sent their best wishes for a quick recovery, I extend my thanks. I'll make it!

Last but not least, I want to thank the officers who babysat me for 10 days. Keeping me laughing all the time damn near gave me a relapse, but I still extend my profound thanks.

God bless you all,  
Ron Johnson, Neumiller Hospital

## No Problem at Denmark's Unique, Mixed-sex Prison

Five years after it opened, Europe's first mixed-sex prison has been declared a success. Four of the six blocks at Ringe Prison on the Baltic Island of Funen are mixed. There are 90 inmates, 70 men and 20 women, who are allowed to mix freely both during working hours and in their spare time.

Erik Andersen, Ringe's Governor, says the atmosphere in the mixed cell blocks is totally different from that prevailing in normal single-sex prisons. "Everything is much more relaxed. We in no way interfere if a relationship develops between inmates. They are intirely free to have intimate relationships in their cells."

Andersen believes that the more natural conditions in prison create less embittered and less neurotic prisoners who are better able to adapt to society on release.

The inmates work an eight-hour day and can buy their own food with their daily \$4 food allowance. They make office furniture, electronic components and other items for which they are paid \$32 weekly.

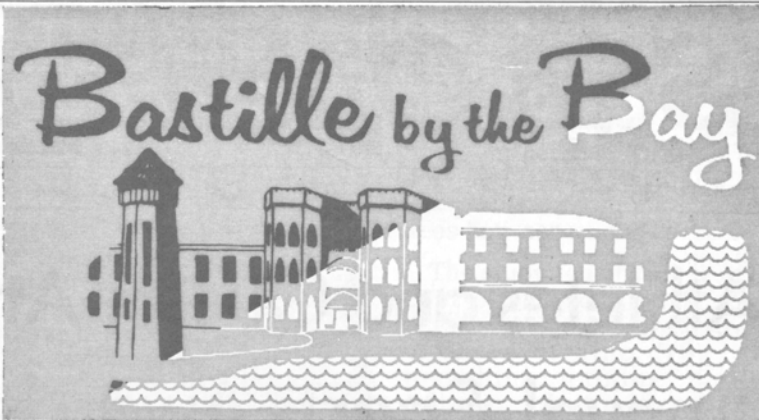
There are few rules, but one says inmates must confine their sex lives to the privacy of their cells. In five years only two pregnancies have occurred, and in one case the couple decided to get married.

## PHARMACY CLERK WANTED

Must be able to type accurately with moderate speed.

## PAY NUMBER

Contact A. Angelini, Pharmacist, Phone 407



## A Lesson in Diplomacy

If the parole board could see me now . . .

It seems the San Quentin News made a slight error in last week's issue. This, in itself, is not too unusual — but it proved to be an interesting experience and suggests I've become somewhat more diplomatic over the years.

Anyway, after returning to the cell block last Friday I received a phone call from the C Unit Program Administrator. I quite naturally thought she wanted to commend me for having done a fine job on that week's paper — or perhaps offer me a job editing the Washington Post. Not so, I realized, as she growled, "Morse, why are you f - - - with me?"

A vision of the adjustment center flashed through my mind as I realized I was dealing with an irate, female staff member who apparently feels I have done something wrong.

"Well," I cautiously thought, "let's see how long it takes to figure out what the hell she's talking about. If I let her talk long enough she'll probably get around to telling me what's going on. In the meantime, I'll keep my mouth shut and try to keep from turning this into a felony."

"Is this some kind of a joke?" she demanded. "Did someone ask you to do this? My phone has been ringing all day. This is getting to be ridiculous."

"I agree," I silently mused.

"Doesn't Mike Madding read the paper before it's published?"

I must admit that my tact faltered at this point, and I went into a tirade — explaining the paper is, indeed, under the control of the managing editor. As a result, my duties entail little more than making sure the paper comes out each week. I ain't gonna lose any sleep over the content of a state-owned publication that is subject to closure at any given moment. (Besides, what the hell do you expect for the salary I'm making?)

"That's a bad attitude," the acting P.A. observed.

Well, it took a while, but it turned out that the acting P.A. was objecting to the Jan. 9 ad for clerical positions — with pay numbers. Apparently there are no such positions.

"Where did you get this information?" she demanded.

The mystery has now been solved. It seems the information originated in her office and was passed on to the News via one of the clerks. That is not to say the information is accurate. An honest mistake was made. There are no clerical positions open in the C Unit P.A.'s office. Sorry about that.

I'd like to conclude this column by assuring everyone there will be no more mistakes made in the News — but the last person I knew who uttered such an egregious lie immediately contracted a case of terminal hemorrhoids. So . . . I'll continue working under the assumption that an error one week is simply a subject about which to write the following week. An editor's primary function is getting a paper out each week. What better way is there of assuring a few inches of type each week?

## No Parole Plans? Join the Legion

Richard D. Smith, until recently an inmate at the State Correctional Institution at Graterford, Pa. has been granted parole after he sought and got an offer to join the French Foreign Legion.

Smith, 32, had been denied parole several times because he did not have a job offer or a home to which he could return. He had served five years on a 2½-10 year sentence.

Parole authorities stated that Smith must pass the French Legion's physical exam. Fred W. Jacobs, chairman of the state Board of Probation and Parole noted, "If he flunks, he's no longer got a parole plan and he's going to have to come back and start all over."

## Illinois Passes New 'Bitch' Law

On July 3, 1980, Governor Thompson signed into law a revision to the Illinois Habitual Offenders statute.

This revision provided that any person convicted of certain offenses will spend the rest of his or her life in prison if convicted of a third offense.

As it now stands, anyone who is convicted of murder or a "Class X" felony, and has suffered two or more prior felony convictions, will receive a life sentence.

"Class X" felonies include: murder, home invasion, heinous battery, calculated criminal drug conspiracy, armed violence, treason, rape, deviate sexual assault, armed robbery, aggravated arson, aggravated kidnapping for ransom.

## San Quentin News

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner . . . . . Warden  
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# School Credits Available For New Ceramics Classes

Good news, ceramic buffs. SQ's hobby program has been expanded to include a high school level of instruction in the art of pottery making.

Claudia Tarantino has been instructing classes in ceramics for several months, but she is presently on a leave of absence and is instructing her newborn son in the fine art of breast feeding. Claudia will return Feb. 2 and will resume her role as the instructor of the evening ceramics classes.

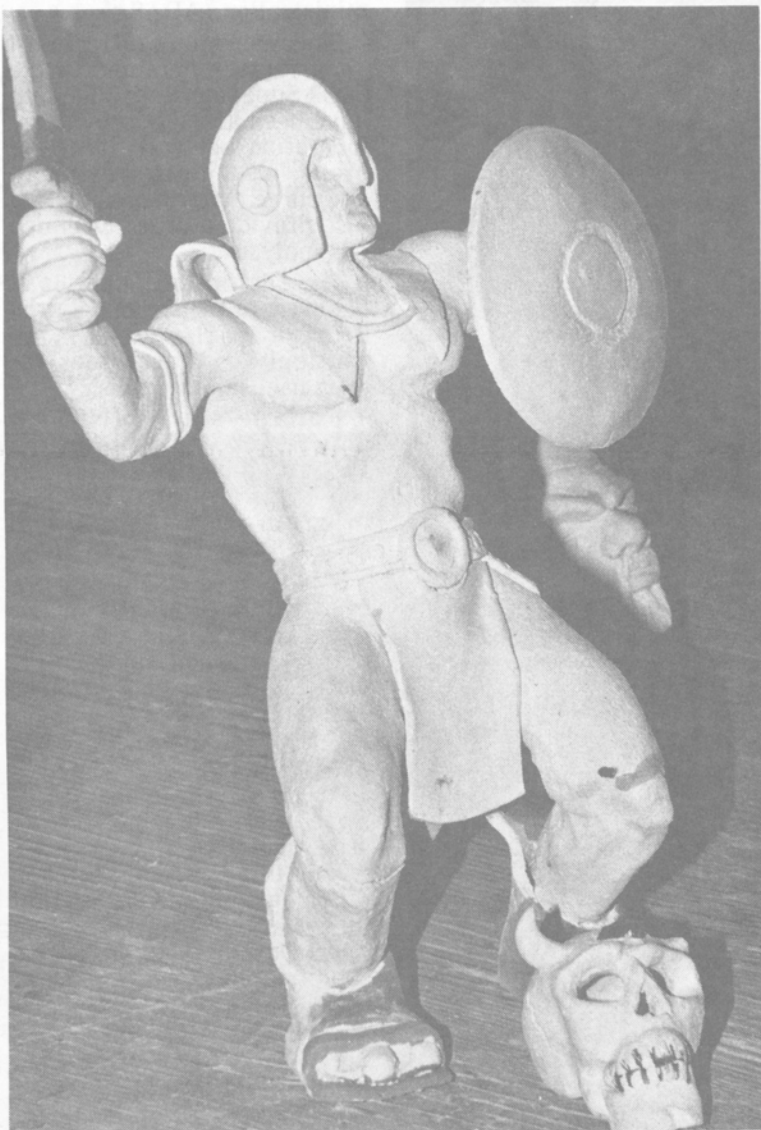
Daytime courses, affording high school accreditation, will begin in February, and these classes will be taught by Gail Caulfield.

Ms. Caulfield has a masters degree in art, having received her instruction at San Francisco State University. Her abilities are obvious, as she has been a self-employed potter since 1967. In addition to selling numerous pieces out of her own studio, Gail has been quite successful in exhibiting and selling her artwork in various galleries throughout the U.S.

Anyone interested in signing up for instruction in ceramics should contact Ms. Lois Wu at the hobby shop — ext. 397 — or Mr. Gary Durkee in the education department.

## Class Schedule Change

On Feb. 2 the evening ceramics class will be changed to Monday and Wednesday. Anyone who is presently enrolled in the Tuesday/Thursday classes will automatically be transferred into the new class.



NO, IT'S NOT PART OF AN SQ "FISH KIT." This is a sculpture done by an interested ceramics student.



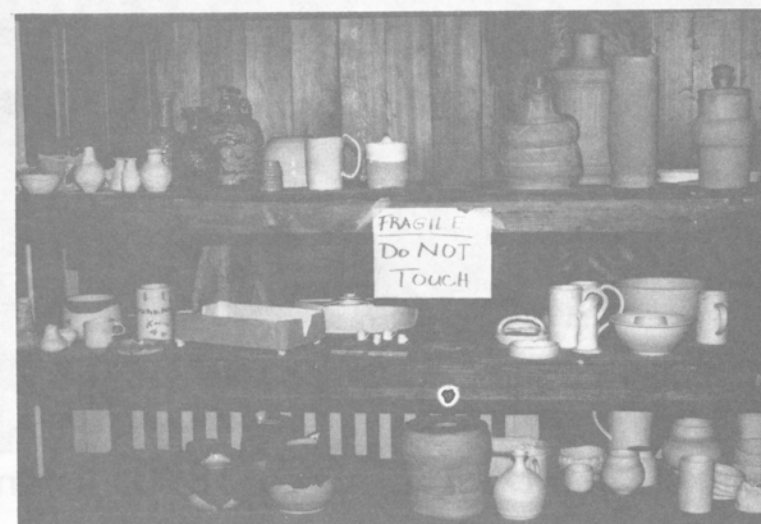
LEAVE YOUR BONAROOS IN YOUR CELL. Being covered with clay and slip is the name of this game.



A SMILE that indicates there is satisfaction in creativity.



THE STUDENTS' creativity is restricted only by the limits of their imaginations.



DRYING RACK holding completed ceramic pieces awaiting firing.



"You look terrible. Try to get more sunshine."

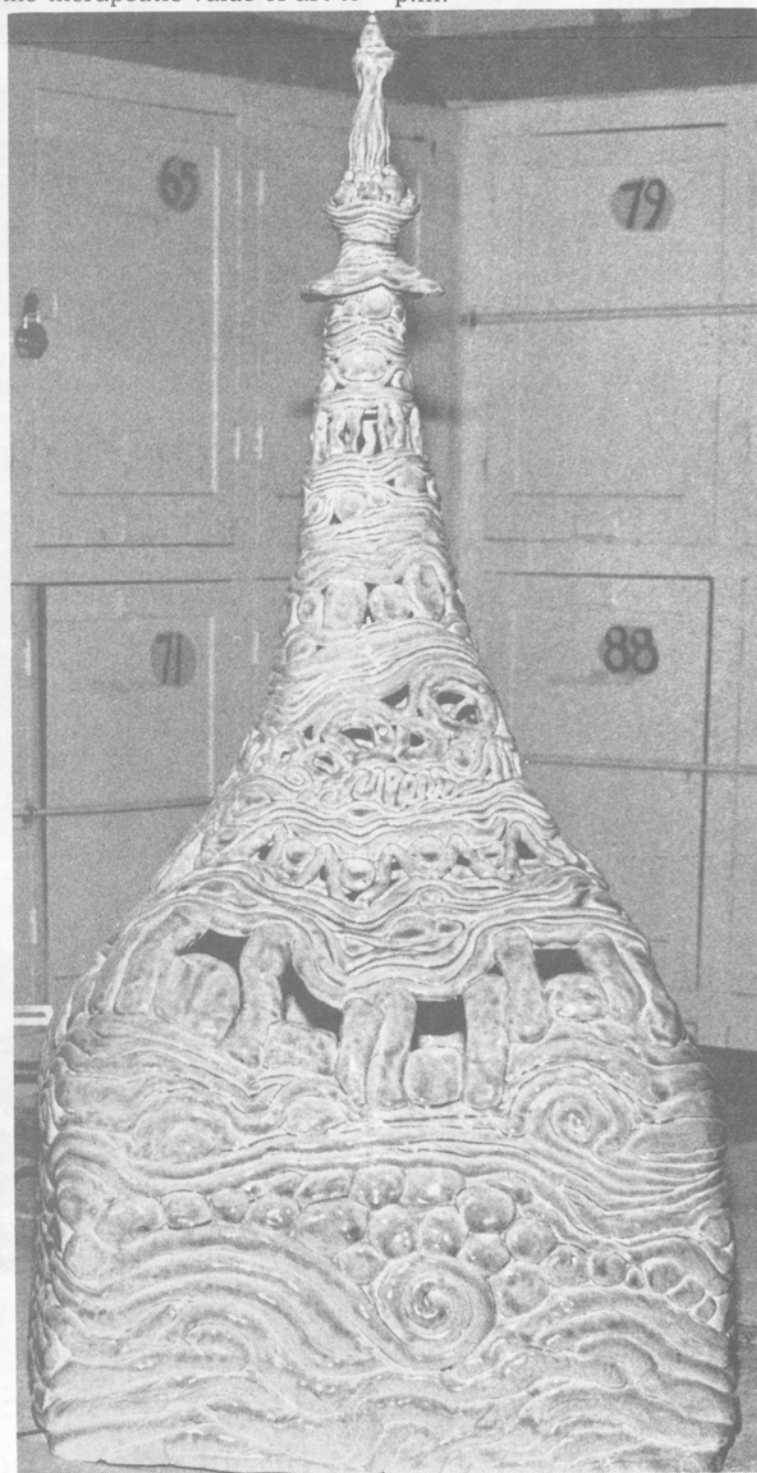
## Correction

The KQED Channel 9 film presentation entitled "Without Words" will be televised on Jan. 21 at 8:30 p.m. — not at 8 p.m. as reported in our Jan. 2 issue.

"Without Words" examines the therapeutic value of art to

people in special situations and will feature, in part, San Quentin art teacher Lynelle and several of SQ's artists.

The Channel 9 program will be aired again on Jan. 24 at 6 p.m.



AN ABSTRACT SCULPTURE done by Dennis Stanworth.



# Sports Awards Banquet...

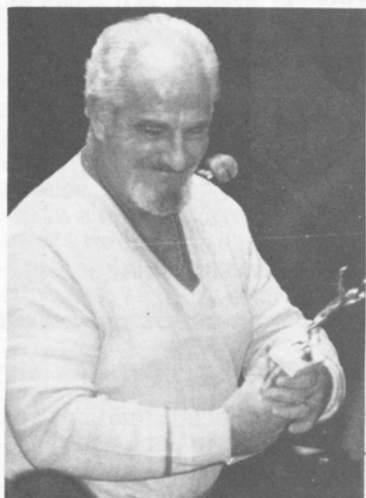
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Leroy Williams, Fahane Radcliff, Armstead Cole, and Danny Murray.

Fred Apodaca and Ali Junior took the first place trophy in handball, while Tomas Urioste teamed with Van to get the second place plaque. The third place certificate went to L. Ayala and J. Ruiz, who were not present to receive the awards.

Certificates of appreciation were bestowed upon members of the athletic committee, softball managers, assistant coaches, and various others who have served the recreation department.

This marked the first year that the sportsmen were allowed to have family and friends present at the banquet — a privilege that everyone hopes will continue through later years.



GEORGE McKINNEY nets tennis trophy.



W. C. 'BONE' WALKER addresses gathering on "future goals."



DETERMINATION and perseverance cinched the Goodlow Trophy for Jack Garfield.

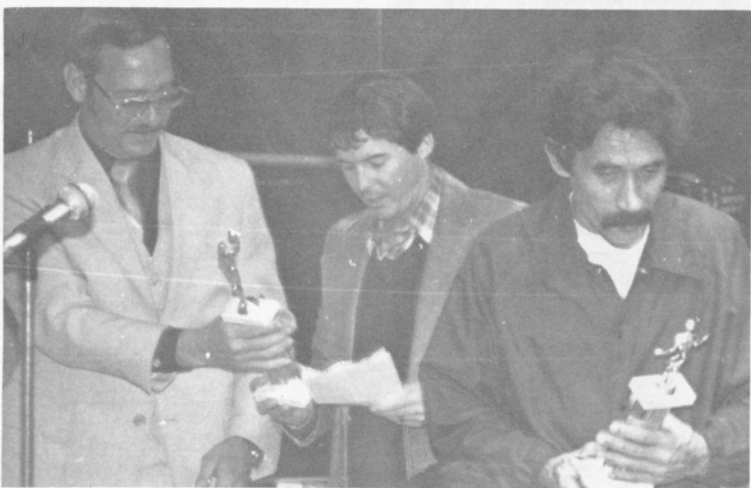
## 35,000,000 TO ENFORCE 10

Someone has tabulated that we have put 35 million laws on the books trying to enforce the Ten Commandments.

— Bert Masterson



ATHLETE OF THE YEAR, Joe Ratti, accepts trophy with the joy of victory.



JOHNNY VAN carries away handball trophy as coaches T. L. Baker and Mike Ferretti prepare for next presentation.



BEST SPORTSMANSHIP ATTITUDE is symbolized in trophy presented to Alton Williams.

## Drug Users...

Continued from page 1

ministered jointly by the Superior Court of the District of Columbia and the Alcohol and Drug Abuse Services Administration (ADASA).

Since December 1971, almost all arrestees detained in the D.C. Superior Court lock-up have been asked to provide information about their use of drugs, prior drug treatment, and current arrest charge, and also provide a urine specimen for analysis.

The District of Columbia is believed to be the only jurisdiction in the country to routinely test arrestees for drug use, said Mr. Wish.

For the study, INSLAW matched 57,944 cases in the PROMIS data bank with their counterparts in the urinalysis program from 1973 through 1977.

It then selected 20,632 cases from 1973 and 1974 to conduct its research because files for those years contained information not available in other years.

### Bail Risk Greater

Noting that drug users were a greater risk to jump bail, the study recommended establishing urinalysis programs in other jurisdictions and that judges give strong consideration to the findings in setting conditions for pre-trial release.

Another finding — that drug-user arrestees ranged between 21 and 30 with a noticeable drop at about age 30

— led to a recommendation that drug abuse programs focus on persons arrested before age 21, with rehabilitation programs zeroing in on arrestees between 21 and 30.

The study found that 21 percent of the 20,632 arrested persons tested positive for one or more of nine drugs — morphine, quinine, methadone, phenmetrazine, methamphetamines, amphetamines, cocaine, barbiturates, or codeine.

The report said the likelihood of prosecution of drug-using and non-drug-using arrestees was about equal, but that drug users were less likely to be released on their own recognizance — apparently because judges already were using the urinalysis results as one of the criteria of risk.

The cases of drug users were less likely to be dismissed and more likely to end in a guilty verdict or plea, said the study.

Female arrestees were more likely to test positively for drug usage than males, the study found.

Mr. Wish said he had no explanation for this, but suggested that perhaps more women were on legal prescriptions than men.

The study said that less than one-half of the charges involving drug-using women arrestees were for prostitution or a drug-related offense.

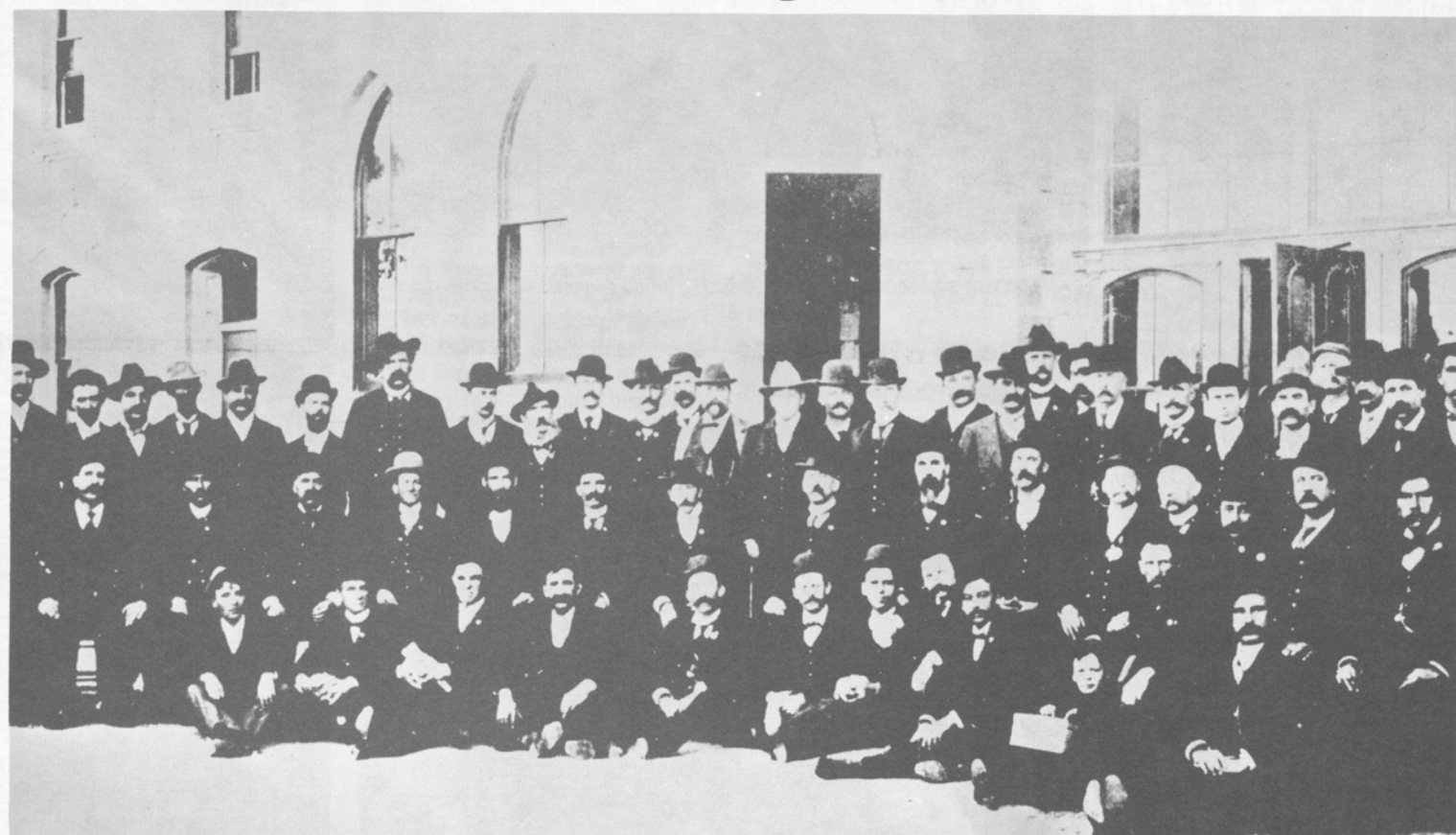
The final report of the project will be available next month.

## Family Visiting Open Line Schedule

The open line will be held 9:30 a.m. on the above dates at the MAC office. There will not be an open line if the institution is on lockdown status or having special holiday shows.

January	.....12 and 26
February	..... 9 and 23
March	..... 9 and 23
April	.....13 and 27
May	.....11 and 25
June	..... 8 and 22
July	..... 6 and 20
August	.....3, 17 and 31
September	.....14 and 28
October	.....12 and 26
November	..... 9 and 23
December	..... 7 and 21

## The Good Olde Days?



THE SAN QUENTIN GUARD LINE, circa 1890, listening to a speech about the importance of keeping the prison clean — so it can be accredited by the ACA.



# IWF Funds Not Used To Buy Sumner's Coat

In our Jan. 23 issue it was reported that the Men's Advisory Council recently gave Warden Sumner a jacket which was purchased by the Inmate Welfare Fund (MAC Holds Annual Banquet for Members and Outside Guests").

Walter Speights, president of the MAC, has informed the News that this is grossly inaccurate. The funds utilized for purchasing the Warden's jacket were the monies contained in the MAC's slush fund.

The News stands corrected and apologizes for the error.

During a discussion with our MAC president, it was suggested that a regular column—or whatever news coverage is needed—be submitted by the MAC. The News has determined that this would help inform the mainline of the changes effectuated by the MAC and perhaps make more people aware that the council is, indeed, attempting to work on behalf of the general population.

## CDC Activates Three More Work Furlough Centers

The Department of Corrections has entered into a community re-entry program contract for female felons with Harbour Area Halfway House, Inc. This facility is located at the Hoffman House, 940 Dawson Avenue, Long Beach, CA 90804, Phone (213) 434-0036.

Another work furlough center will be utilized at the Upland Re-entry Program, 1360 West 20th Street, Upland, CA 91786, Phone (714) 623-0604.

The Stanislaus County Work Furlough Program is also an established county program now. The CDC contract provides for 20 beds for male and female felons who are no closer than 30 days but not more than 90 days from their scheduled parole date.

Male inmates in the program will be housed at the Stanislaus County Honor Farm in Modesto.

Placement in the program is limited to those selected inmates who are considered to be residents of Stanislaus County.

## More Info Needed On Visiting Forms

Many inmates have been submitting applications for family visits on forms not containing sufficient information. Effective immediately, all family visiting request forms that do not contain the following information will be returned to the inmate, and will cause a delay in receiving a scheduled date.

- Name, number, housing unit and custody.
- Family's address, city, state and zip code.
- Work and home phone number, area code or any change in the one presently on record.

Officer J. Caraway, family visiting coordinator, has informed the News that the above will be strictly adhered to.

## Court Frees Man Facing Gas Chamber

SAN FRANCISCO (AP) — A guilty plea by a man sentenced to die in San Quentin's gas chamber has led to the reversal of his sentence and conviction.

The state Supreme Court ruled Monday that because Billy Lee Chadd's plea was entered against his lawyer's advice, he must be freed. The ruling, however, doesn't bar his retrial in the 1978 throat-slashing death of Linda Hewitt of National City, near San Diego.

Chadd was sent to San Quentin's death row after his conviction, but since October he has been held in jail in Nevada awaiting trial on another murder charge there.

In a 4-2 decision by Justice Stanley Mosk, the court said since a 1973 amendment to the state's Death Penalty Act, a capital-case defendant can't plead guilty against the advice of his attorney.

The court also overturned convictions based on guilty pleas in a second death and in a rape and robbery. Those three convictions were used as the basis of the special circumstances given to impose the death penalty in the Hewitt case.

Justice Frank Richardson, in a dissenting opinion, said, "The right to enter a particular plea in a criminal proceeding is that of a defendant alone. It cannot be subject to the veto of defense counsel."

Justice William Clark joined in the dissent. In the majority, in addition to Mosk, were Chief Justice Rose Bird and Justices Mathew Tobriner and Frank Newman.

Prosecutors alleged Chadd went with Mrs. Hewitt and her 18-month-old child to the house where she worked and choked, raped and sodomized her. They contended he then slashed her throat and watched her die as the infant played nearby.

At his trial, Chadd said he wanted the death penalty.

## East Gate Calls Verboten!

Effective immediately, no inmates are to call the east gate family visiting office.

Listed days of Open Line can be found in the MAC office. These scheduled days will be the time for all questions or requests. The family visiting phone is not for this purpose — unless you have been notified by an officer that the family visiting coordinator wishes to speak with you concerning a family visiting matter.

## Handicraft Program

# Hobby Shop Lacks Funds To Meet Population Needs

By Jimmy Price

While the average visitor to San Quentin's outside gift shop may be concerned with little more than purchasing a unique and novel bargain, there is really something of a man's story in every item of the arts and crafts sold there. They are each products of a prisoner's struggle — against boredom, against inactivity, against a daily barrage of messages that seek to undermine his worth as a human being.

"I started working with leather to make money," admits San Quentin prisoner Leonard Davis, "but I've stayed with it for more reasons than just that. Mainly, I enjoy it. Regardless what your craft is, it is a part of you, an expression of yourself. I get a real satisfaction in what I do... and it sure beats walking the yard or running the tiers."

Davis is one of about 350 men actively involved in the handicraft program here, which also includes such other crafts as jewelry making, silkscreen, ceramics, woodworking, and the visual arts.

The support center for these activities is the hobby shop,

## Guidelines for Parole Adopted

SAN QUENTIN — The California Board of Prison Terms last week adopted guidelines on when prisoners serving murder sentences under a new law in California prisons, including San Quentin, will be eligible for parole.

But the earliest the guidelines could be used would be 1989.

Robin Dezember, the board's executive officer, said the board adopted the guidelines in response to pressure from prosecutors, defense attorneys and judges who wanted to know what the limits were at the time of sentencing.

The guidelines deal with people convicted of first- or second-degree murder and who do not receive the death penalty. In setting sentence terms, the regulations take into consideration the type of crime and behavior after a person is imprisoned.

Under the initiative adopted by voters in 1978, which includes the death penalty for

Continued on page 2

## Guards Join Inmate Suit

HAGERSTOWN, Md. — Employees of Maryland Correctional Institution have filed a motion to join inmates in a suit aimed at ending overcrowding at the medium-security prison.

The prison workers claim overcrowding violates their "constitutionally protected right to be employed in a manner so as not to be unduly subjected to loss of life or health."

The motion was filed recently in U.S. District Court in Baltimore by the Maryland Classified Employees Association and four guards. It asks that they be allowed to intervene in the inmates' existing suit against the state.

headed by Lois Wu, handicraft manager. Ms. Wu explained that the creative arts are invaluable in restoring and maintaining a person's sense of self-worth.

"Let's face it," said Wu, "the prison experience is very damaging in terms of a person's mental, emotional and spiritual health. The therapeutic value of these arts in the healing process is unquestionable. These men really need creative outlets."

Ms. Wu added that while the handicraft program is not considered to be vocational, the skills acquired there are valid skills that can very well lead to self-employment on the streets, and she feels the program should be given more support.

## Warning Shot Stops Assault on Sergeant

A warning shot had to be fired to stop an assault on the third watch sergeant in D Section Jan. 28.

According to Mike Madding, prison information officer, an inmate tried to leave the housing unit at approximately 5:55 p.m. He was stopped by the sergeant and asked to produce his identification card. While the sergeant was looking at the card, the inmate reportedly struck him, causing the gunrail to fire a warning shot.

The sergeant was treated and released from Neumiller Hospital and continued to work throughout the remainder of the shift.

## Forced Transfers Blocked

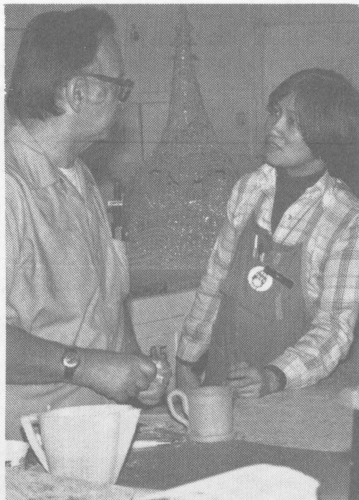
On Jan. 23 Marin County Superior Court Judge Henry J. Broderick gave notice that he will issue an order blocking the Department of Corrections from involuntarily transferring prisoners under the new system of classification utilizing a standardized scoring system adopted by the department. Judge Broderick found that the new system could not be implemented until it is adopted through the formal public hearing process required by the Administrative Procedures Act. The order is the latest of a series from the Marin Court, which had already stopped all involuntary transfers out of San Quentin based on the new system.

Michael Satris, attorney for the Prison Law Office who filed the suit on behalf of the Office and two San Quentin prisoners facing transfer, applauded the decision, and said, "The court's order will insure that persons directly impacted by the new classification system — prisoners and their families — will have some say in, and understanding of, how the system operates. That is the whole purpose of the hearing process required by the Legislature." Mr. Satris stated that he intends to ask the court to stop all use of the new classification system until the public has a chance to comment upon it.

The News will keep its readers informed of the progress made in the case of *Stoneham vs. Rushen*, No. 100852, the case that initiated the above court decision.

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See Law Column on page 2



LOIS WU advises hobbyist Pappageorge.

Dennis Stanworth, who said he has been hobbying off and on for the last eight of his 14 years here, told the News that too many people seem to think that the hobby program is just play.

"On the contrary," said Stanworth, "the hobbyist must learn to think, plan and take responsibility for his own success. Besides the skills I've learned in working the crafts — and I've tried my hand in most all of them — I've also had to develop a good business sense. I have to know what sells and I

Continued on page 2

## Lockdown Caused By Bogus Rumor

A general lockdown of the institution was ordered at approximately 12:15 p.m. Jan. 23. This was reportedly the result of persistent rumors that a prisoner had been stabbed — or was about to be injured.

Following the lockdown of the institution, an investigation was launched, and officials report that no basis for the rumor could be determined. An unlock was ordered three hours after the completion of the investigation.

## WEEKEND MOVIE

"Honeysuckle  
Rose"

Country singer Willie Nelson dominates this film about a country singer (what else) and his band on the road in Texas. Dyan Cannon plays the wife he strays from when he is exposed to the lovely Amy Irving. Also features Slim Pickens and Emmylou Harris. Rated PG.

Joan Idator  
251 Clorinda Ave.  
San Rafael, CA. 94901

UPS 480-700



# Handicraft Funding Dilemma...

Continued from page 1

have to know what it's going to cost me to make the items.

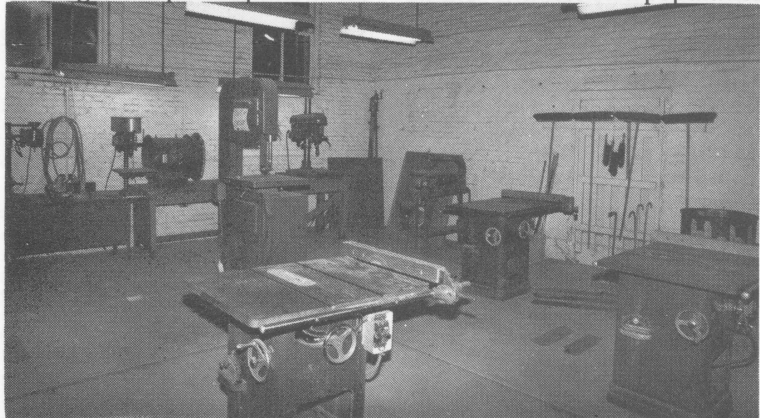
"Money and the personal satisfaction I get from success are my motivation. This is something I do on my own and whether I succeed or not depends on me. If it weren't for the hobby program here, I don't know what I'd do with my time."

Lois Wu feels the program could be greatly improved and expanded to meet the needs of the prisoner population here. "While I won't turn anyone away," commented Wu, "neither can I realistically encourage new participation. We

Last year the hobby shop acquired a new heavy-duty planer and a power sander — the first new equipment in years.

Although two part-time instructors were recently hired — an artist for the lock-up units and a ceramicist for the mainline — Wu proposes that a viable creative arts program here at San Quentin should also include instructors in jewelry, plastics, creative writing, and drama.

At present, the handicraft program now has a total of two part-time ceramicists and two artists — to serve a population



HOBBY SHOP power saws and drill presses. Band saw, near-center, sports "Out of Order" sign.

need better equipment to work with and we need more part-time instructors to help the men get started."

Most of the power equipment used in the program was salvaged from other parts of the institution — for example, the heavy duty sewing machine used in stitching leather was secured when the old shoeshop here closed down. Basically the equipment is old and nearly beyond repair.



PERSONAL SATISFACTION shines from this craftsman.

## San Quentin News

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

Reporters: J. B. Morse (editor), James F. Price, Bert Washington; Photographer: Jay Capra; Composing Room Leadman: T. Searcy; Proofreader: Dale L. Clark; VIP Phototypesetters: E. Simien, Bart Chandler; Camera: Vince Smith; Pressroom Leadman: Albert Ellis Jr.; Layout Striping: Robert L. Endy; Paste-up: Frank J. Allen.

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however, declined to renew their grant for this year.

According to Ms. Wu, there are funds available to enhance the handicraft program here if the proper proposals were submitted.

Both of the recently-hired instructors were provided through the Arts in Corrections program in Sacramento, which has also arranged for the William James Association to present several workshops in the coming year.

With more instructors and a broader range of activities, Ms. Wu has little doubt that participation will increase — especially among close custody prisoners.

Jeff Cook, a 21-year-old con serving a 25 years-to-life sentence, told the News that there was a long waiting list for the ceramics class last summer and that he's concerned about getting into the daytime class scheduled to start next month.

Because of their classification, close custodies may participate only in the daytime classes.

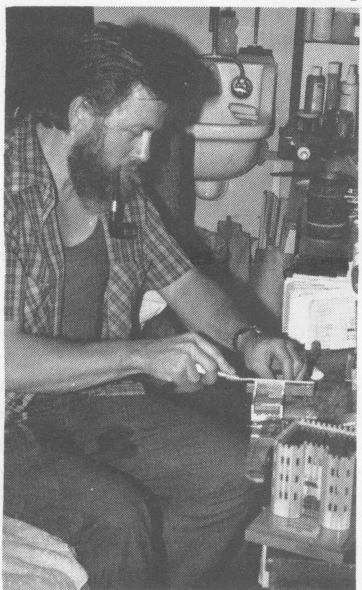
"I'm doing a lot of time and there are a lot of frustrations that go along with that," said Cook. "Working with ceramics helps me unwind and relax. It's just good for your mind. I have a daytime job assignment, which helps keep me busy, but I need a creative outlet too."

Cook adds that the ceramics program would have no trouble filling two three-hour classes a day, five days a week.

Apparently there are more than a few idle prisoners here who might like to take up a hobby, but who lack the knowledge to get started.

Tippy Cornell, who commented that he hasn't much more to do with his evenings than watch television and talk to friends, told us he just hasn't any experience with crafts and wouldn't know where to begin.

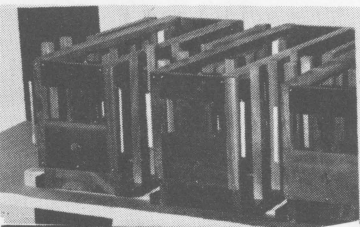
Perhaps it is time to reevaluate the needs of the population here at San Quentin. If rehabilitation means to restore to a condition of health or useful and constructive activity, then the creative arts program here certainly needs everyone's support.



HOBBYIST DENNIS STANWORTH at work in his cell.

with paperwork — which she regards as a necessary evil — and running the program.

The problem seems to be with funding. Last year the program was funded in part by a grant from the California Arts Council (CAC) and was also supported by the William James Association. The CAC,



BANQUET SIZE BURRITO, displayed by ceramics hobbyist Juan Banegas. For lesser appetites, he offers the eat-and-run size in background.

## Law Column

(The following is the gist of a Minute Order signed by Superior Court Judge Joseph J. Wilson on Jan. 16. The News will inform its readers of any developments in the case of *In re Stone*, No. 101069).

### Consent To Search Prohibits Denial of Contact Visit

*In re French*, 106 CA 3d 74, started out as a challenge to San Quentin's policy of suspending visiting privileges of any person who refused a body search for a period of at least six months. The appellate court held this policy to be invalid on the ground that it was not "necessary for the reasonable security of the institution" in that other, less restrictive measures would suffice to protect the institution's security. Specifically, it was noted (as the Director's Rule then, and still, provides) that persons refusing such a search could be denied visiting privileges, unless on subsequent occasions they consented.

After the initial order in *French*, San Quentin officials adopted the policy of requiring body searches for future visits and permitting such visits only on a non-contact basis. The Superior Court denied a challenge to this policy on the ground that the restriction to non-contact was not "necessary" to the institution's security.

On appeal, the appellate court affirmed the order prohibiting the prison from imposing a suspension of visiting privileges, but also granted petitioner's habeas corpus petition — declaring that requiring a body search and precluding future visits on a contact basis was improper.

Following this decision, prison officials adopted a policy of imposing an indefinite suspension of contact visits in those cases in which a visitor has refused a body search, but no longer requiring body searches. The attorney general argues that the *French* decision afforded the prison the option of either requiring body searches as a condition of future visits or permitting such visits on a non-contact basis, and therefore the present prison policy is consistent with this decision.

The Superior Court does not so read the *French* decision. In *French* the Court of Appeal relied upon the Director's Rule which stated that no such substantial reasons could exist where the individual was subject to a body search before entry.

Essentially, the Director's Rule is simply a restatement of the statutory requirement that a restriction on visiting be "necessary for the reasonable security of the institution." If no substantial reasons exist for denying such contact visits, then obviously such a denial would not be "necessary."

The clear import of *French* is that anything more than requiring body searches of visitors who have refused a body search is not necessary to the security of the institution. It seems obvious that an indefinite suspension of contact visits is a more onerous restriction on visiting privileges than requiring a body search in connection with future visits. The court cannot escape the conclusion that its principal purpose is to punish the recalcitrant visitor.

Nor is there any persuasive evidence that the non-contact rule is necessary because an undue burden would be imposed on the prison by requiring body searches. The warden stated he would prefer to do both.

The Superior Court cannot, however, agree with petitioner's contention that the visitor should have the option of refusing a body search and nevertheless being permitted a non-contact visit. Contraband can be introduced into the institution by a non-contact visit. There is nothing improper in prison authorities saying, in effect, to the prospective visitor, "We have reason to believe you may be trying to bring in contraband, and we want you to submit to a body search. If you refuse, you will not be admitted, and on future visits you will be required to submit to a body search before being admitted."

Therefore, the court has ordered that in those cases in which a prospective visitor will not submit to a body search the prison officials can refuse to permit the visitor into the institution. Officials may also require that any such visitor submit to a body search in the future before being admitted — but the officials may not limit future visits by anyone who thereafter consents to a body search.

### Parole Guidelines...

Continued from page 1

certain types of murders, prison terms for those people convicted of murder but not sentenced to death were increased.

Under the new law, the earliest a first-degree murderer can be eligible for parole is after serving 16 years and 8 months and for second-degree murder, nine years.

The initiative made first-degree murder punishable by 25 years to life, and second-degree murder by 15 years to life, but the earlier parole dates are possible if credit is given for good behavior in prison.

Dezember said the board is free to exceed the minimum sentences and does not have to grant a parole date to persons who have life sentences.

He said the board had not set any guidelines earlier because the soonest the matter could come up would be mid-1989,

### Con Stabbed In East Block

A thirty-year-old east block resident was assaulted Jan. 28 at 7:55 a. m. The victim received one minor stab wound in the chest and another in the left arm.

One suspect has been placed in the security housing unit pending investigation of the incident. Preliminary reports suggest the incident was the result of a personal dispute.

when some second-degree murderers serving life sentences will have hearings to determine if they are eligible for parole. It will not be until 1996 that first-degree murderers sentenced last year would be eligible for such hearings under the law.

However, he said, the courts and prisoners wanted to know just what the sentences would be.



## Music, Music, Music . . .

## Bandroom Offers Opportunity For Growth of Musicians

By B. Washington

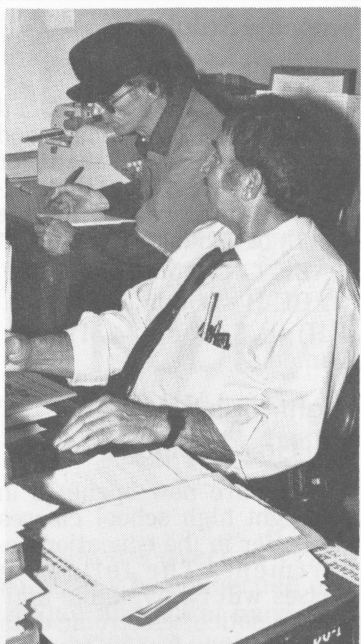
Under the capable leadership of Mr. Salvador E. Russo, SQ boasts having one of the best if not indeed the very best music program in the California prison systems.

Mr. Russo has been the music director of SQ since 1976. His list of credits are only matched by the enthusiasm he displays in his willingness to teach his students the finer points of music. You can find him teaching a beginners class in the bandroom five days a week. He also sets aside four nights out of each week for his more advanced students.

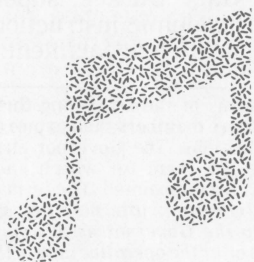
The bandroom itself is a relatively new addition to SQ. Besides eight soundproof studios filled with the latest equipment for recording or listening enjoyment, there is also a classroom for beginning stu-

dents where they can learn music history, note reading, time and theory. There is also a library filled with a variety of sheet music and some record albums.

The music program is open for each man in the population. Persons in the lock-up units can also participate by writing a letter to Mr. Russo, in care of the education department. The same applies for any advanced students wishing to sharpen their skills during the night movement. Beginning students can enroll in the music class by going to the education department and signing up with Mr. Kenneth Barnes. A new class will be starting in music fundamentals on Feb. 2. There are also some instruments available for private use in the bandroom.



MUSIC PROGRAM DIRECTOR Salvador E. Russo being interviewed by SQ News editor Joe Morse.



SQ's bandroom is the base of operation for the various institutional groups that have given us pleasure throughout the years. These groups take turns performing at the banquets and warden's tours. But when asked which they prefer best, they all unanimously agree that singing or playing for the inmate population is their biggest thrill of all.

**The Brothers of Soul**

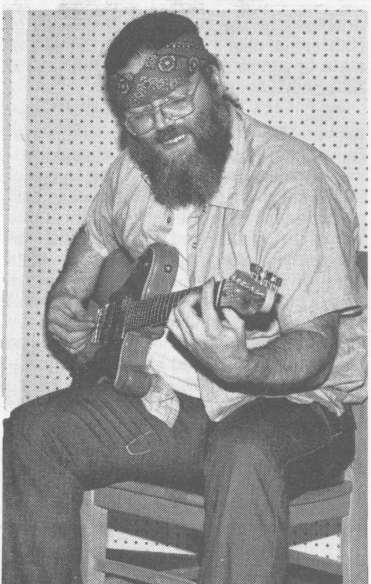
These men have a longevity unsurpassed by any other music group in SQ. Their founder, leader and bass player, "Cool Hand" Luke Oliver has set and maintained a level of excellence that has not faltered throughout the groups existence. They are and have been without a doubt SQ's premiere musical group. Even though they've undergone a drastic



SOUTH WIND blowing through north dining hall. (l-r) Rick Louick, John Deputy, Bob Verricchio, Bill Faught, Carl England, Steve Clanahan and Tom Sublett.



POLISHING UP ACT in bandroom Charles "Chuck" Johnson and George "Bird" Burbage, caressing a close friend.



BOB ENDY, spending free time enjoying himself in one of the bandroom studios.



THE PERFECTIONS singing the Whispers "You Can Do It" in the north dining hall. (l-r) Charles Terrance, Melvin Malcom (paroled and replaced by Chester Johnson), Bob Verricchio, Grady Jackson and Joel "Lil Joe" Adams. Not shown: Jerome Herron, Darrell Green and Richard Ybarra.



THE BROTHERS OF SOUL going through LTD's "Gave Me Love" at recent MAC banquet. (l-r) "Cool Hand" Luke Oliver, Franko Jones, Matthew Wolff, Samuel "Cincinnati" Drake, Larry Miller and Greg "Money" McDowell. Not shown: drummer Herman Moncrief.



THE SOUNDS OF JAZZ giving "Stormy Monday" new meaning. (l-r) Allen "Squirrel" Ware, George "Bird" Burbage, Walter "Piggie" Brock, Lee Morgan and Matthew Wolff.

shake up due to paroles and transfers, their abundance of talent and professionalism has kept them out front of the competition as SQ's first family of song.

**The Perfections**

The name should speak for itself. You can't wear such a name as that and be anything less. Not really a group of long standing, the Perfections appeared on the scene and demanded to be heard. And heard they were, the Perfections received national acclaim when they shared the bill with James Brown on a recently-televised show in the north dining hall. The leader of the Perfections Joel "Lil Joe" Adams is not only a singer but a prolific songwriter. Along with a little help from his friends Grady Jackson and Chester Johnson, the Perfections are destined to become one of SQ's all time

favorite groups.

**The Sounds of Jazz**

In a time of Punk-Funk, Disco, Rock, Bop and Hop, The Sounds of Jazz are a refreshing change of pace. Their leader George "Bird" Burbage is a musician extraordinaire. Although transfers and paroles have taken their toll in the personal department of the Sounds of Jazz, you can find them ready at any given moment to share their talents with the population. The lead singer position is shared by two gifted talents — Charles "Chuck" Johnson and Walter "Piggie" Brock. Both men have a different and unique styling of their own and woo the audience with variations and the poise of natural showmen. For music with a flavor that's as enjoyable as the first day of spring, the Sounds of Jazz are a delight to hear.



# Response Sought on Prisoners' Wages Bill

Assemblyman Dave Stirling, author of a pending bill which would affect the pay standards for prisoners, has contacted the News for opinions about his proposed bill. As a result, the News will print the bill in its entirety and ask that the readers forward any responses they may have to the SQ News office.

Italic types denotes additions; strike-out type denotes deletion.

## Assembly Bill 276 — Pending

An act to add Article 6 (commencing with Section 2800) to Chapter 5 of Title 1 of Part 3 of, and to amend Sections 5085, 5086 and 5087 of the Penal Code, relating to employment of prisoners.

## Legislative Counsel's Digest

AB276, as introduced, D. Stirling. Correctional industries.

Existing law provides for the operation of various industrial and other employment enterprises for state prisoners, with specified jurisdiction thereover vested in a Correctional Industries Commission.

This bill would add 2 members to such commission and give such commission additional specified powers and duties relating to the establishment and operation for 10 years of a pilot program whereby one correctional institution would be chosen as the site for the location of one or more private industrial firms who would use inmate labor under specified rules.

This bill would become operative only if ACA No. 15 is adopted.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 6 (commencing with Section 2800) is added to Chapter 5 of Title 1 of Part 3 of the Penal Code, to read:

Article 6. Correctional Industries Development

2800. The Legislature takes cognizance of the following facts relative to crime, prisons and prisoners:

(a) That numerous crimes are committed by persons who have no marketable job skills and who resort to criminal activity out of desperation and frustration.

(b) That incarceration of persons convicted of crime in state correctional institutions does not provide the inmates with the atmosphere, opportunity or motivation to improve themselves by acquiring marketable vocational skills.

(c) That this failure to provide meaningful job skills promotes and even perpetuates continued desperation and frustration within the prison population and actually contributes to further criminal activity within the prison setting.

(d) That under the Determinate Sentencing Act of 1976, nearly all inmates will eventually be released from prison and will go back to live in the communities of this state.

(e) That unless inmates are provided the opportunity, atmosphere and motivation to acquire meaningful job skills and work habits during their prison experience, they will be released back into the communities of this state no more productive or self-reliant than they were when they committed the crime for which they were imprisoned, but will only be more sophisticated in the ways of crime by reason of the increased knowledge and experience in criminal activity they acquired during their prison terms.

(f) That it is the policy and intent of the Legislature in addition to punishment, to assist the rehabilitation of the inmates of correctional institutions by providing an opportunity, atmosphere and motivation to obtain marketable industrial skills and securing employment opportunities upon release from the institution, while, at the same time, defraying the expenses related to the confinement of the inmates, the support of their families, and the compensation of victims.

2801. As used in this chapter:

(a) "Commission" means the Correctional Industries Commission.

(b) "Firm" means any private industrial firm authorized to operate a private industrial facility under the provisions of this article.

(c) "Facility" means any private industrial facility operated under the provisions of this article.

(d) "Institution" means any prison or institution under the jurisdiction of the Department of Corrections.

2802. The commission may adopt such rules and regulations as are necessary to carry out the purposes of this article.

2803. The commission shall make an annual report concerning the implementation of this article to the Legislature not later than the first day of March of each year.

2804. To facilitate the training and

the employment of the inmates of the correctional institutions of this state by one or more private industrial firms, the commission shall promote the establishment and operation of private industrial facilities within, or adjacent to a correctional institution to be designated as a pilot institution by the commission.

2805. In furtherance of the purposes of this article, the commission shall have the following powers:

(a) Through contracts or other appropriate means, to implement the operation of facilities which employ the inmates of an institution, and which are in or adjacent to such institution.

(b) In order to foster participation in the program established under this chapter, to study, develop, and recommend to the Legislature for its consideration, a program of incentives.

2806. Buildings, space, or both, within or adjacent to an existing institution, or institution to be built, shall be provided by the Department of Corrections to any firm authorized to establish and operate a facility employing the inmates of such institution. The buildings, space, or both, shall be leased to the firm or firms at their fair market value.

2807. A firm operating a facility shall provide all supervisory personnel and all equipment, machinery, supplies, tools, or other material necessary to the production process.

2808. The Department of Corrections shall provide all correctional personnel necessary to insure the adequate supervision of inmates employed in the facility.

2809. Applications by inmates for employment and the employment of inmates pursuant to this chapter shall be voluntary.

2810. No firm shall operate a facility unless:

(a) There is parity between the wages of an inmate and the wages of an employee performing similar work in the same or a comparable industry in the state; and

(b) The inmate is included within any labor contract between the private industrial firm and its other employees and is entitled to receive any benefits or participate in any programs available to such employees, provided such benefits and programs are defined by the commission as compatible with correctional security.

2811. The commission shall determine the rate at which participating inmates shall contribute from their wages, after taxes, to each of the following:

(a) Room and board.

(b) The California Victim Indemnification Fund.

(c) Family support.

(d) A personal release savings account.

(e) Ongoing personal expenses.

2812. Inmate continuation in the program established pursuant to this article shall depend on exemplary behavior as defined by the commission.

2813. No firm shall operate a facility unless it has agreed that any inmate whose performance for that firm has been satisfactory shall be considered for employment by that firm upon his release.

2814. Participating inmates who fail to meet the behavioral and job performance standards jointly established by the commission and employing firm shall be discharged from employment and returned to the general inmate population.

2815. All goods manufactured in a facility shall be the property of the firm operating the facility.

2816. The commission is authorized to administer and operate the project established pursuant to this article for a period of 10 years, during which the Legislature shall evaluate the effectiveness of the project to determine the desirability of its adoption as a permanent program within the California Correctional System.

SEC. 2. Section 5085 of the Penal Code is amended to read:

5085. There is hereby created the Correctional Industries Commission, which shall consist of the Director of Corrections, the director of the Employment Development Department, or his designee, and six seven members appointed by the Governor, of whom two shall be representatives of organized labor, two shall be representatives of industry, one shall be a representative of agriculture, one shall be a former state prison inmate, and one shall be a representative of the general public.

SEC. 3. Section 5086 of the Penal Code is amended to read:

5086. Of the representative members first appointed, the terms of one member representing industry, and member representing agriculture, and the member representing the general public shall expire on January 15, 1949,

## Bayview Salutes Its Students of the Month

Bayview Schools has named its Students of the Month and wishes to commend them for having achieved an outstanding scholastic record for the month of January.

ABE-I—Crispin Escamilla.

ABE-II—Dominico Samora.

High School — Michael Damon.

## Night High School Still Has Openings

There are now openings in the night high school classes being offered in the education department. The following classes will be available until further notice: electronic data processing (beginning and advanced), radio and TV announcing, typing, elementary bookkeeping, creative writing, G.E.D. preparation classes.

All interested persons should contact Gary Durkee, supervisor of academic instruction, in the education department.

and the terms of the remaining three representative members shall expire on January 15, 1951. The Governor shall designate the term for which each member is first appointed. *The term of the first former inmate member appointed by the Governor shall expire four years after the operative date of the act providing for the appointment of that person.* Their successors shall hold office for terms of four years and until the appointment and qualification of their successors. The Governor shall fill any vacancy for the remainder of the unexpired term.

SEC. 4. Section 5087 of the Penal Code is amended to read:

5087. The Director of Corrections shall be the chairman of the Correctional Industries Commission. The commission shall meet regularly at least four times during each fiscal year, and shall hold extra meetings on call of the chairman. ~~Four~~ Five members of the commission, including the chairman, constitute a quorum, and the vote of a majority of the members in office is necessary for the transaction of the business of the commission.

SEC. 5. This act shall become operative only if Assembly Constitutional Amendment No. 15 is adopted by the voters, and shall become operative on the date of such adoption.

## Assembly Constitutional Amendment No. 15

Assembly Constitutional Amendment No. 15 — A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 7 to Article XX thereof, relating to inmate labor.

## Legislative Counsel's Digest

ACA 15, as introduced, D. Stirling. Inmate labor.

Existing statutory law provides for operation by the state of various industrial and other employment enterprises for state prisoners.

This measure would authorize the Legislature to provide for specified use of inmate labor in privately operated industries.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its 1981-82 regular Session commencing on the first day of December, 1980, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the state be amended by adding Section 7 to Article XX thereof, to read:

SEC. 7. The Legislature may provide for the operation of industrial facilities operated by one or more private firms using inmate labor to assist the rehabilitation of such inmates and provide such inmates with marketable industrial skills and employment opportunities. Wages and other benefits for such inmates shall be comparable to those paid to noninmates performing the same work, but the Legislature may subject the provision of such wages to reasonable rules and regulations to insure correctional security and to provide reimbursement to the state for costs of keeping the prisoner, support of the prisoner's family and the prisoner during his or her incarceration, and indemnification of victims of crime.

*If you pick up a starving dog and make him prosperous he will not bite you. That is the principal difference between a dog and a man.*

—Mark Twain

# Director Modifies Guidelines for Criminal Prosecution

*Effective Dec. 9, 1980, Sections 3316 and 3320 of the Director's Rules are amended to read as follows:*

3316. Referral for Criminal Prosecution.

(a) All felonies occurring on institution property, including inmate conduct which also constitutes a crime, will be referred by the warden or superintendent to appropriate criminal authorities for possible investigation and prosecution. All referrals for inmate criminal conduct will be accompanied by a Department of Justice Form JUS 8715, Disposition of Arrest and Court Action. The criminal authority to whom a case is referred shall be requested to inform the warden or superintendent in writing within 10 working days whether prosecution will or will not be undertaken. The inmate shall be notified in writing when his or her conduct has been referred to criminal authorities for possible prosecution.

(b) The referral of an inmate's alleged criminal conduct to criminal authorities for possible prosecution will not stay the time limits for disciplinary proceedings unless the inmate submits a written request to the chief disciplinary officer for postponement of the disciplinary proceedings pending the outcome of the referral.

(c) When disciplinary proceedings have been postponed at the inmate's request pending the outcome of a referral for possible criminal prosecution, the inmate shall not be entitled to any further departmental hearings on the question of guilt or innocence on the disciplinary charges, or on the need for assignment to segregated housing if so assigned because of the disciplinary charges, before a disciplinary hearing is held. Postponement of proceedings at the inmate's request or by staff shall not preclude release from segregated housing before the disciplinary hearing is held, as provided in sections 3315 (b) (2) and 3339.

(d) An inmate may revoke his or her request for postponement of the disciplinary proceedings at any time up until an accusatory pleading has been filed against the inmate by the criminal authority to whom the inmate's conduct has been referred for possible prosecution. The revocation of a request to postpone disciplinary proceedings must be submitted in writing to the chief disciplinary officer. The disciplinary hearing shall be held within 15 days of receipt of the inmate's written revocation of a request to postpone the hearing.

(e) When disciplinary proceedings have been postponed at the inmate's request, as provided in (b) and (c), the disciplinary proceedings shall not be resumed until:

(1) The inmate has revoked his or her request to postpone disciplinary proceedings, as provided in (d), or;

(2) Notice is received that criminal authorities do not intend to prosecute. In such cases, the disciplinary hearing shall be held within 10 days of the receipt of such notice, or within 30 days of the notice if extraordinary circumstances prevent an earlier hearing and the delay will not prejudice the inmate, or;

(3) Criminal proceedings have terminated. In such cases the disciplinary hearing shall be held within 10 days of the receipt of a copy of the court's action, or within 30 days if extraordinary circumstances prevent an earlier hearing and the inmate is not prejudice by the delay.

(f) A referral to criminal authorities, or criminal authorities decision not to prosecute, or a trial court's dismissal of criminal charges without having found the inmate not guilty of criminal conduct, will have no bearing on the findings and disposition of disciplinary charges.

(g) A finding of guilty or not guilty by a court shall be accepted as the finding of fact on the same charges in a disciplinary hearing. If a court finds the inmate not guilty after a finding of guilty in a disciplinary hearing the disciplinary charges will be dismissed.

(h) A court's action will not bar nor reverse a disciplinary action in the finding of fact and disposition of any lesser act of misbehavior relating to the criminal charge. A court's action on finding of guilty to criminal charges will not bar nor reverse any authorized disciplinary action for the same charges.

3320 (b) — Amended.

(b) A hearing on the charges will normally be held within three days but not later than 10 days from the date the inmate is given a copy of the rule violation report. An exception is provided in section 3316 when a case has been referred to criminal authorities for possible prosecution and the inmate has requested and been granted a postponement of disciplinary proceedings pending the outcome of such referral. Under extraordinary circumstances and when further delay will not prejudice the inmate, the hearing may be delayed up to a maximum of 30 days from the date the inmate is given a copy of the rule violation report, provided that within 10 days of the receipt of the rule violation report the inmate is notified in writing of the extraordinary circumstances preventing the hearing within the 10 day period; the estimated time within which the hearing will be held and; a determination that the delay will not prejudice the inmate.

NOTE: Authority cited: Section 5058, Penal Code.

Reference: Sections 2932 and 5054, Penal Code.

## Papermaking Seminar Scheduled for Feb. 26

Ms. Margaret Prentice will present a lecture and slide show relating to the process of traditional western papermaking — as done by hand — on Feb. 26 at 6:20 p.m.

Slides will be shown of Ms. Prentice and her twin sister working in their papermill, dipping the sheets of handmade paper. There will also be a discussion about the tech-

niques for the use of these papers in fine arts.

Ms. Prentice's papermill is the only one of its kind in the United States. Her papers are used by many prominent artists around the world.

Any interested participants can sign up for what should be an informative evening by contacting Ms. Lois Wu at ext. 397.



## Hanging Appropriate for Murder, State Sen. Says

SACRAMENTO (UPI) — A conservative Republican lawmaker says he would like to see California return to the days when murder was punishable by hanging.

Sen. H. L. Richardson of Arcadia said recently that hanging should be reinstated for premeditated murder and for killing children, prison inmates or law enforcement officers.

"I do believe that when we get back to executions in the state of California, hanging would be appropriate," he told United Press International.

"Hanging is the most efficient way. It's very symbolic of the times in the United States when murderers were executed. It's very simple in an economic and final sense."

But he added that he doesn't plan to introduce a bill this year to legalize hangings because he doesn't believe it would clear the Legislature.

Richardson, founder of the Law and Order Campaign Committee and some gun owners' groups, has become a powerful political force in the Legislature by pumping large sums into the campaigns of

conservative candidates.

Richardson aired his opinions about hanging during a discussion of gun control at a high school government class in Placerville, a gold rush community initially known as "Hangtown" because it was the site of the state's first known public hanging in 1849.

Richardson said he was aware of the early name.

The state's last official hanging occurred at San Quentin on May 1, 1942, for a murder committed in 1936. The Legislature in 1937 ruled that lethal gas would be used to carry out the death penalty for crimes committed after that year.

There has not been an execution in San Quentin's gas chamber since 1967. The death penalty is a subject that has remained tied up in the courts despite voter approval of a proposition in 1978 to expand the scope of capital punishment.

"With Jerry Brown in office and Rose Bird on the (state Supreme) Court it's nonexistent in this state," Richardson complained.

## Mary Wells Tops Bill For SQ's Holiday Show

Feb. 16 will bring to SQ a concert to be remembered. Heading the list of stars will be the lovely and memorable Mary Wells. Ms. Wells brought us hits such as "The One Who Really Loves You," "You Beat

Wells will be the very popular Will Porter and Buena Vista. Will Porter and Buena Vista have just finished a successful engagement at an Francisco's Old Waldorf where they packed the house nightly.



BEAUTIFUL AND MAGNIFICENT are only words until placed with the face and talent of Ms. Mary Wells, then they take on meaning.

Me To The Punch," and "Dear Lover." The list goes on and on. Her hits are too numerous to name but all too memorable to forget.

It's been over a decade since Ms. Wells' last hit, but her newly-packaged show is getting rave reviews all over the country. Since her re-emergence to the public eye all of her shows have been played to standing room only crowds.

Sharing the bill with Ms.

Also on the bill will be Lady Bianca and Marvin Holmes. Lady Bianca will be remembered for the time and pleasure she gave us on the Bread and Roses show. She's also due to play the Great American Music Hall and the "black film makers hall of fame" awards show. The lady has been busy, but evidently we rubbed her right because she's back for more.

Continued on page 4

### Special Poetry Contest

A \$1,000 grand prize will be awarded in the special poetry competition sponsored by World of Poetry, a quarterly newsletter for poets.

Poems of all styles and on any subject are eligible to compete for the grand prize of for 49 other cash or merchandise awards, totaling over \$10,000.

Says Contest Chairman, Joseph Mellon. "We are encouraging poetic talent of every kind, and expect our contest to produce exciting discoveries."

Rules and official entry forms are available from the World of Poetry, 2431 Stockton, Dept. N, Sacramento, CA 95817.

Entry Fee Required

# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. LI, No. 6

TAMAL, CALIFORNIA 94964

Friday, Feb. 6, 1981

## Feds Vow More War on Bikers

(Reprint From ATF News)

The criminal activities of violent motorcycle gangs were disrupted widely in 1980 by special agents of the Bureau of Alcohol, Tobacco and Firearms (ATF).

"Gang members we arrested usually are felons who use guns, bombs and violence to carry out criminal acts, particularly those linked to drugs and extortion," said ATF Director G. R. Dickerson.

This was the pattern in California, where ATF agents joined other law enforcement officers in April to move against outlaw bikers in the San Francisco area. Guns, explosives, drugs and stolen goods were recovered. More than 20 convictions were obtained and other trials are in progress.

"Gangs are dispersed in many other states but remain united by a code of violence," Dickerson said. During 1980, ATF arrested gang members in Virginia, North Carolina, Delaware, New York, Texas, Minnesota, Ohio, Connecticut, Louisiana, West Virginia, California and other states.

The investigation of one outlaw bike gang led to the recovery of \$67,000 in counterfeit currency.

"Our bureau intends to stop motorcycle gang violence and criminal acts whenever and wherever there is evidence to sustain arrests and convictions," Dickerson said. "This commitment will be continued in 1981."

## Con Receives New Term for Masturbation

TALLAHASSEE, Fla. (AP) — A prisoner-advocacy group says a convicted rapist had nearly three years added to his term for "chronic masturbation" even though the Florida prison system has no rules against the act.

The Florida Clearinghouse on Criminal Justice made the statement last week, releasing copies of a document it said had been signed July 11, 1979, by Maurice Crockett, then chairman of the Florida Parole and Probation Commission. Without identifying the inmate, the copies stated that the inmate's term was extended because of the "nature of offenses and institutional staff observation of chronic masturbation."

Crockett, reached by The Miami News, said masturbation is common in prison. But he said confidential information prompted commissioners to consider the sexual activity in making their decision to extend the term.

The document showed that the commission extended the term of the 24-year-old inmate by 99 months, 33 of which were for masturbation. It said the activity was observed by guards at the state prison at Raiford.

Clearinghouse spokesmen said the inmate has since been moved to the Union Correctional Institution. Both facilities are in North Florida.

Continued on page 3

## Construction Began On Lower Yard Canteen



RUSSELL WISE, WALTER SPEIGHTS AND JOE MORSE watching the groundbreaking for the lower yard canteen.

Construction has begun on a new lower yard canteen. A definite completion date cannot be projected at this time, but the inside construction crew handling the operation expects to be finished by June 1.

Unlike the main canteen and the satellite units at the ranch and in the west block, the lower yard canteen will not utilize IWF funds. The MAC plans to cover all expenses. There are not enough funds to insure a fully-stocked unit when it opens, but profits from the sale

of sodas, ice cream, etc. will enable a rapid expansion of the inventory.

Once the unit is fully stocked, profits will be directed towards the development of an education center in the visiting room.

Current plans suggest an expansion of the OK Corral to include a learning experience for visiting children and an opportunity for certification as child development workers for some convicts who work the Corral. More information about this project will be provided as it develops.

## Prerelease Moves To Records Office

The prerelease unit has been relocated to the records office to facilitate processing of the release program studies and other clerical functions. However, the prerelease counselor will continue to hold open line in the prerelease center Monday through Friday as needed between the hours of 1 p.m. and 3 p.m.

If you are unable to leave your work assignment and need assistance, you may call ext. 350 between the above hours or write to the prerelease unit, in the records office.

## Death Penalty Sought To Protect Informants

SANTA FE, N.M. — A lawmaker who says he wants to prevent a repeat of the violent riot that wracked the state penitentiary last year has introduced a bill that could make a prison slaying punishable by death. The bill, introduced last week by state Sen. Manny Aragon, would add a slaying among prisoners to a list of "aggravating circumstances" that can result in a death sentence for a person convicted of murder. Several inmates at the New Mexico State Penitentiary are awaiting trial on murder charges resulting from the bloody riot of Feb. 2-3, in which 33 inmates were killed.

## Prison Crowding Called Explosive

Warning that sharp increases in prison populations in California are creating 'explosive' conditions, the National Council on Crime and Delinquency (NCCD) has recommended that the state move to reduce its reliance on incarceration.

The immediate use of more community-based programs for prisoners who are approaching their release dates, coupled with the creation of new restitution and community work programs for low-risk offenders, was proposed as a short-term solution to the crisis. Long-term recommendations call for a statutory limit on the number of prison beds available, and for the planning and implementation of sentencing and correctional policies designed to keep felons out of prison.

The proposals are contained in *A New Correctional Policy for California: Developing Alternatives to Prison*, a report prepared by NCCD's San Francisco-based Research Center West.

Critics of prison systems have pointed to severe over-

Continued on page 4

—WEEKEND MOVIE—

## "Dressed To Kill"

Brian De Palma (director of "Carrie" and "The Fury") comes across with his best thriller yet. The stars are Angie Dickinson as a sexually frustrated matron with a very active fantasy life, Linda Allen as a sweet-looking hooker who turns tricks to play the stock market, and Michael Caine as the psych who's trying to figure it all out. Don't miss this one! Rated R.



## Looking for A Pen Pal?

Reverend Joe B. Mason, director emeritus of the Prison Mission Association, Inc., has been chosen to head a new department of the Mission which is sure to be of interest and use to many inmates throughout the nation. PMA Pen Pals is designed to provide the names and addresses of people on the outside who are willing to correspond with prisoners.

Interested prisoners — or outsiders willing to become involved with the project — are advised to write to Reverend Mason at P. O. Box 178, Weatherford, TX 76086.

## Determinate Sentence Law Comes Under Scrutiny

California's Determinate Sentencing Law has shifted a great deal of discretion with regard to determining the final results of any particular criminal case to the prosecutor's office, according to a recent study by Arthur D. Little, Inc.

The report to the legislature on "Determinate and Indeterminate Sentence Law Comparisons Study: Feasibility of Adapting Law to a Sentencing Commission-Guideline Approach" also states that while the law (DSL) has enabled the defense to more clearly convey the sentencing implications of pleas to various charges, this may be an incentive for accepting a negotiated plea only for the lesser sanctioned offenses. "From a justice system perspective, it appears that an important impact of DSL has been to encourage settlements at the pretrial stage of the trial system process."

- Concern for the pre-sentence investigation procedure has been emphasized under the Determinate Sentencing Law. The specification of sentences by the law has reduced the PSI's former influence in sentence determination.

- Probation officers interviewed who were involved with adult probationers maintain that since the enactment of DSL, they have not observed any significant differences in the types of offenders receiving probation sentences; but from a statewide perspective it appears that the nature of the caseload is shifting due to the implementation of the sentencing law.

- The DSL emphasis on punishment has lowered the perceived priority of rehabilitation within state corrections.

- Prison system managers appear to have lost considerable flexibility in terms of dealing with the size of the overall state prison population. While it cannot be concluded with certainty that implementing the Determinate



By James F. Price

Minutes after our Jan. 23 issue hit the newstands of this community, so to speak, we received a very heated phone call from Walter Speights, president of the Men's Advisory Council (MAC) here, regarding our article covering their banquet the previous Saturday. Speights vehemently objected to our reportage on two points — first, that the jacket they presented to the warden was purchased with monies from the Inmate Welfare Fund, and secondly, that no specific achievements were mentioned in the president's speech.

On the first point, we printed a correction in last week's issue indicating Speights' information that the jacket was actually bought through the MAC "slush fund" — which I don't see as being much different. It is my understanding that this fund still entails profits made from prisoners through MAC activities (e.g., Church's Chicken sales).

With regard to his second complaint, we are publishing in this issue the president's entire speech — verbatim — as he recently furnished us in written form. As the reader can see, we stand corrected again. Right there in black and white, the president takes credit that through the MAC, "approval was granted making school assignments comparable to work assignments." That does indeed qualify as a specific accomplishment. But after now reading his speech several times over again, I still find mentioned therein no other specified achievements to benefit the prisoners here at this time — unless we are to assume that breaking ground for the lower yard canteen means construction is to begin soon.

To give credit where credit is due, the MAC president is an eloquent and gifted speaker. It's just that he himself chose "an eventful year . . . filled with purpose and accomplishment" as his theme — and then failed to impress us with any substantial accomplishments. He does mention numerous specific concerns — which are indeed our concerns — but these concerns have been around a long time, we are all aware of them, and they have yet to be met.

Speights was not the only one who objected to the item regarding the warden's jacket. Many other prisoners here also objected — vehemently — myself included. I object to the MAC presenting the warden a jacket, presenting 17 other staff members certificates, presenting various plaques and awards over this last year — supposedly all on my behalf — yet without my ever quite knowing what specific deeds or virtues were being rewarded. I can only be left feeling that the MAC acted not on my behalf at all.

Following the MAC banquet, I sought to revive the SQuestion Man column of this paper by asking prisoners

Sentencing Law has increased the total number of commitments, it does seem to have influenced the composition of the prison populations.

The report also reviews nationwide developments in sentencing and analyzes the applicability of the sentencing commission approach to California. In conclusion, Arthur D. Little, Inc. recommends that the state "establish a sentencing commission to alleviate the present management problems associated with the current legislative process of developing and passing sentencing laws." However, before establishing such a commission, the legislature "should prioritize goals for sentencing," the company cautions.

"California's current DSL represents a mixed model. The Judicial Council rules suggest that there are a variety of goals and philosophical bases present. The Legislature should clarify its position by placing clear priorities on the intended goals of sentencing."

Under SB 42, the Judicial Council was given the responsibility for developing sentencing rules for the application of the provisions of DSL; those rules are to be used by the

Board of Prison Terms in reviewing "the information regarding the sentences in this state of other persons convicted of similar crimes so as to eliminate disparity of sentences and to promote uniformity of sentencing."

In addition to assisting in the achievement of the goals of certainty, uniformity and proper discretion through sentencing reform, a sentencing commission may eliminate or reduce problems which beset the general justice system, the report says.

"Arthur D. Little, Inc., believes that California is presently experiencing difficulties related to sentencing that may be alleviated by a sentencing commission," it continues. "These difficulties include: overcrowding in state corrections institutions; ad hoc legislative changes in sentencing; inadequate attention to the financial implications of sentencing legislation; and the lack of a focal point for system-wide planning and monitoring of results achieved."

Aim

Not failure, but low aim, is a crime.

—J. R. Lowell

"Do you feel that your interests are being properly represented by the Men's Advisory Council here at San Quentin"? So consistently negative were the responses I got that I decided not to print the column, as such, for its questionable objectivity. I think now it might have been very objective.

In essence, what these interviews told me was that the MAC has lost touch with this population. I was, in fact, impressed with a complete lack of trust and faith in the MAC to act as our true agents. And the problem seems to rest with exposure. Not one of the men I talked to could tell me who their supposedly elected representatives are — much less could they tell me who serves on the MAC executive body. I don't see how the MAC can represent the prisoner population here when no one seems to know who they are. Nor can I see where we are to find faith in a body of representatives whose activities seem so vague and insubstantial.

The best way I can see to represent a people is to get out and talk to those people. Our own experience is not enough. I can sit here and tell you about the conditions I experienced in north block a year ago, but with the passing of time I am quite apt to give you only the words that I transformed those experiences into. The point I am trying to make is that I can't depend on memory to remain aware of those experiences. I depend on others to remind me. And it does seem the MAC needs to be reminded of some things.

The MAC president speaks of humanitarian causes and realigning priorities. I'll vote for both. Getting a canteen on the lower yard for our simple convenience seems hardly as important as, say, improving the sub-standard living conditions in north block. Or take the close custody population here — it's steadily growing — and so, too, grows the problems for that class of prisoners. Problems in finding constructive work and educational opportunities. Problems in providing meaningful creative outlets. Problems in trying to schedule family visits for this growing segment of the population — with only two visiting units available to them.

Another issue is that of forced work assignments in areas where there are little or no meaningful incentives — with the alternative being confinement in the Close B II section of east block. Pay numbers, work incentives and defined job descriptions sound much more the answer.

Again, to accurately represent the prisoners here, it takes getting out on the yard and tiers and listening to what we prisoners have to say — listening not just to the content of our grievances, but to the feelings behind them as well. And this is not only the job of the MAC reps, it is also for the executive body to do. Certainly it is my responsibility to voice what is important to me — but it might help my motivation if an MAC member were to stop me now and then just to let me know he cares about what I think.

Admittedly, I am skeptical about what the Men's Advisory Council might accomplish through this next year — I have only its past record to go by. But then, I have been judged by my past record too. It would be foolish to just ridicule and abandon support for the MAC — it is, after all, our only recognized voice and we have to protect that voice.

Rather than dwell on what the MAC has been, instead let us concern ourselves with what it can be — with our support. If the current administration of the MAC is sincere in its concerns and intentions, then I have to support them — through true and objective reporting on their efforts and activities, through giving recognition to their achievements, and through offering objective criticism where it might be called for.

## New 'Anti-crime' Lobby Created

Two Sacramento legislators have announced that they will form a statewide organization to bring "public pressure upon members of the (Assembly) Criminal Justice Committee" to pass legislation enacting tougher penalties. Assemblywomen Jean Moorhead and Senator John Doolittle, both Republicans, said last month that they will solicit public, private and community organizations for help in getting "anti-crime" bills through that committee which Doolittle labeled an "obstacle."

Moorhead has already introduced a bill (AB 63) which would lengthen prison terms

for habitual violent offenders. Under the measure, persons who cause great bodily injury three or more times would face a minimum of 15 years in prison. Similar legislation (AB 3375) was vetoed by the Governor last year.

Other 'get tough' bills introduced by Moorhead this session include AB 13, which would allow certain juvenile parole hearings to be opened to the public, and AB 28, which would revise determinate sentencing laws by requiring that prisoners begin serving their sentences before qualifying for a reduction in time served for good behavior.

## San Quentin News

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G. W. Sumner . . . . . Warden  
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# MAC Perspectives 1980-1981

The following is the speech given by Walter Speights, MAC president, at the Jan. 17 banquet. It offers a view of the accomplishments of 1980 and goals for 1981.

I welcome you to this the 31st annual Banquet of the Men's Advisory Council. I stand before you tonight on behalf of this organization, it's elected representatives, for all of the prisoner's housed here at San Quentin State Prison.

It has been an eventful year. One that has been filled with purpose and accomplishment. Sure we have had our defeats, but we did not, and have not become defeatists. We have had our disappointments, but we have not become discouraged. We have had our disagreements, yet our unity has not been destroyed. Our character has been weighed and measured on the scales on intention and our cause has been found true. We have been analyzed, and screened with the utmost scrutiny, we have been critized and applauded, helped and hindered, but above all, we have considered our state, and determined that we are about a good work and we dare not stop now.

Far too often, we build ourselves up and in the next minute we find that we are torn down. Too often we start out laughing, only to end up crying (and we have had to cry some). We stand, as it were, on the edge of lifes forrest looking beyond the trees to a time and place where we might fulfill our dreams. We, too, have dreamed. But we were not inactive dreamers, for out of our dreams we designed plans to make those dreams a reality. We developed operational goals and objectives that expressed our basic philosophy of service, and at the same time met the requirements of humanitarian and welfare considerations voiced by the men we represent.

I would not have you ignorant concerning my use of the word welfare, for here it carries no misconcieved socio-cultural definition. How we fare, how we get along, how we live from day to day, the kind of food we are fed, the condition of the cells we must live in, the kind of medical treatment we receive, and the efficiency and proficiency of the people who have charge over us concerns our welfare. These are the things we care about, these are the things that concern us. And the Men's Advisory Council is that organized prisoner group whose primary objective is to see that these concerns are met. We are also concerned with the manner of sensitivity and lack of sensitivity, our families are subjected when they visit this place to see us. We are concerned that we be treated like men and human beings. Furthermore, we declare to all that, imprisonment has not excluded us from the society of man nor, has it made our families and friends second-class citizens because of their affiliation with us.

Many strides have been made in this area, but many more need to be addressed. We have a proposal before Mr. Sumner for the implementation of a computerized processing system. One that will alleviate the long and drudgerous waiting time now employed at the visitor processing center. Our aim is the development of a more efficient system, one that will not interfere with the security requirements of this institution and will at the same time become sensitive to the individual needs of those who visit us and the many sac-

rifices they make to assure us that they still care.

We are concerned with the rate of recidivism, and with poultry sum now given upon release, it not difficult to understand how and why we are forced to indulge in some illegal endeavor just to survive. I think it is time that we realign our priorities and become aware of the fact that this is a human situation and when a portion of humanity is affected, all of humanity is affected. We are our brothers keeper and when the final record has been read, when the indictment is posted, our worth will not be determined by what we have done for ourselves, but rather what we have done for the betterment of mankind.

And this brings me to a point I would like to make at this time. I have heard much criticism of the Men's Advisory Council, and I take umbrage every time I hear it. I just want to set the record straight for all time. We are not a political group, nor or we secular in our purpose or design. We are an elected representative body of the inmate population and I mean the entire population. We are not at variance with other inmate activity groups. We are all supposedly aiming a better environment, a better community and should not be in opposition to one another. Each organization has its objectives and whatever those objectives might be, so long as they encompass the development of better human beings, better conditions and a more coherent society, the Men's Advisory Council will not only render verbal support but will lend it's total resources toward the accomplishment of that objective. We cannot and will not support a cause that is aimed at any special interest. Our special interest is the prisoner population, with us there is no black, white, brown, or yellow. We are first last and in this present circumstance men incarcerated and this is our common bond and the bottom line is that it will not be broken so long as we share this present condition.

We can endure, we can make this a tolerable place in which to live, we can develop ideas to aid and assist in those areas that are of importance to us and our families. Ours must be a cooperative effort from staff, our family members and ourselves. We must set aside indifference and become involved in building a better way of life. In all our foresight we must ever be aware that this is after all, a prison, but I can state with impunity, that in my tenure of office, we have met little or no opposition, to any reasonable constructive plan we have presented to the administration. We have not just brought grievances, we listed redommedations to those grievances, thereby introducing our concerns along with those of the administration.

I imagine I could stand here at this point and begin to list our accomplishments over this past year. I could tell you that after approximately six months of planning ground has been broken for our lower yard canteen, funds from which we hope to build an educational center for children that visit with their parents. We could tell you that through this administration approval was granted, making school assignments comparable to work

assignments. We could tell you that through our operational goals and objectives we have introduced one of the most successful plans of operation enjoyed by this council in the last four years. To many of you who are guests and are untouched by our condition, these things would mean nothing, to those of us would share this condition, we are for the most part aware of what has been done, we accomplished these things and we are proud of them but they remain behind us and have no need of more rhetoric. But there are many people who have aided in these accomplishments and it is our aim to thank them tonight.

We are concerned with the rate of recidivism, and with the poultry sum now given upon release, it not difficult to understand how and why we are forced to indulge in some illegal endeavor just to survive. I think it is time that we realign our priorities and become aware of the fact that this is a human situation and when a portion of humanity is affected, all of humanity is affected. We are our brothers keeper and when the final record has been read, when the indictment is posted, our worth will not be determined by what we have done for ourselves, but rather what we have done for the betterment of mankind.

We are concerned about these and other issues, and I suppose if time were of no importance we could list these factors without ceasing. What we really need is a form of community awareness and joint cooperation. I have heard it said, and I believe that it is true, "A house divided against itself cannot stand" and until we can bring together those ideas that have made us the society that we are, we will forever find ourselves moving listfully on the treadmill of time.

On the other side of the coin, as I look out in the audience I see many of my fellow comrades whom I recognize to be MAC members, primarily because many of you stopped me on the yard and reminded me that it is banquet time and you wanted to be assured that you got on the list to partake of this happening. Well, my friends, this year you made it. Next year you won't. Nobody will have to tell me they are MAC members because I intend to delegate a lot of work your way this coming year, and I know we will be seeing each other often, and there should be no need to refresh my memory that you are indeed an active MAC member. This year was a year of restructuring from an administrative and organizational level and a lot of the work done was by myself and a few other members. This year it is not going to be that way. I intend to insure that all members of the MAC are actively representing those areas from which they were elected. You were elected or appointed to represent a group of men — and you will represent them, or we will be notifying your constituency and asking for your resignation. And we will replace you with some one who is willing to work, who will afford me constructive input in solving these many problems with which we are faced. In other words what I'm saying is that will be no more free rides. Everyone of you will be deserving of some type of award

## Letters

Dear Editor:

I have to comment on "Big George's" jacket. The SQ News states now that the coat was bought from the MAC's slush fund rather than from IWF money. How stupid are we of the mainline supposed to be? Where and how did the MAC get a slush fund unless they took it from the IWF? Does the MAC have a federal grant? Hell no!

My point is this. If there is convict money to be spent, why spend it on Warden Sumner? The man collects one hell of a salary. He doesn't need a new jacket.

I don't care about George Sumner one way or the other, but I do care about my fellow convict. If there is a slush fund somewhere, spend it on the men in AC and on death row. They need smokes, books, coffee, stamps, etc. The above-mentioned convicts are in need. Mr. Sumner is not.

The MAC is just as aware of this fact as I am, so I'm sure my letter is wasted — as far as the MAC is concerned. But at least I've had the satisfaction of expressing myself.

— Frank A. Smith  
A-42383, 1-W-65

### Send Home the SQ News For \$1.00 Per Year

**Subscription forms are available at the front counter in the education department. These forms are to be filled out in duplicate and then submitted to the accounting department.**

next year at banquet or you really won't be here.

There is no prestige around here in being a MAC member because of the shattered record of the past, but we have made gain in reestablishing ourselves among the staff and inmate population. And as long as I am president of these organization I will not have our reputation tarnished or defamed because of some ego-centered individual. The buck stops here and I have the hand to hold it. This year we will be raising our level of expectations and participation, we are looking for men dedicated to the cause set before us. So those of you would survived the lazy attendance of previous years can make the determination now to either prepare yourselves for work ahead or turn your position over to someone who will. And when this year is over you will be ever proud of the work you've done and with that will come the satisfaction that for this space in time your living has not been in vain.

And don't think that I'm just blowing smoke. I still believe the saying that a life must count for something. Men are not hampered by circumstantial conditions, out of every tragedy comes a hero. A man must stand for something, or he will fall for anything. Sitting on the bedpost looking at the sky, you'll never get up there if you never try. We must stand up for the right and strive to undo the wrong, and where justice fails, truth must win. How badly do you want success? Success is not measured by thought, but by action, for success is accomplished by doing. And in succeeding the doing must be done. It's not going to be easy, nothing worth doing ever is. But you will find out one thing about yourself for certain; and that will be the measure with which you measure yourself, and remember this:

"If you think you are beaten, you are,  
If you think you dare not, you don't.  
If you like to win, but think you can't,  
It is almost certain you won't.

Dear Editor:

I am literally appalled at the elementary-like behavior demonstrated by those inmates who are responsible for the vandalizing of the education building

In the past few months there were senseless acts of glass breaking, wall markings and destruction by a few ignoramuses who lack knowledge on acting as an adult, not as a child. I demand that you who committed these acts would think twice about who you are hurting while vandalizing our school. It certainly isn't the State of California, the staff or those involved in the prosecution of you in court. However, it does hurt your fellow convict. The person who sits next to you in class is the real loser.

The education department operates on a budget that is already limited. Further expenses of paying for your vandalizing comes from funds that otherwise could have been directed to books, paper and materials that you and your fellow colleagues could benefit from. The education department is not a lock-up unit, a punishment program or something looked upon to favorably by some staff members. It is a voluntary assignment that enables hundreds of men to gain insight and expansion in their lives. It is about the only intellectual experience that is available for free to convicts wanting education.

One day you will grow up and reach a level of maturity whereby you will look back at your child-like behavior and wonder how you could have been so stupid. If you still have anger and frustration that needs to be ventilated, go to the gym and take advantage of the punching bags, the racketball court, the track or some other form of outlet that would be less destructive to all concerned. Give your colleagues a break and grow up.

I close with this verse from 1 Corinthians, 13:11: "When I was a child I spake as a child, I understood as a child, I thought as a child; but when I became a man I put away childish things."

Your fellow colleague,  
—Steve, 3-W-71, B-98650

Dear Editor:

This Close B II custody situation and the restrictions that are being placed on the inmates who don't work is just like the new point system, serious-offender hearings, mandatory double-celling rule, mandatory standing counts and damn near everything else around this dungeon.

No one bothers to take the inmates' feelings or view into consideration. Nor do they show us any advantages to these new-fangled procedures.

I guess if the administration and the CDC keeps pushing hard enough they'll succeed in creating the "serious and dangerous situation" they're always trying to snow the public into believing is brewing here at San Quentin.

—Undertaker, C Section

### Overcrowding . . .

Continued from page 1

crowding as the primary cause of a wave of violence and disturbance that has wracked prisons across the country, NCCD notes. It reports that the same conditions exist in California's correctional facilities.

"The situation in the prisons, by all accounts, is explosive. Overcrowding is becoming severe in several institutions, aggravating the many tensions already existing in California prisons. California is creating the possibility for its own version of the New Mexico tragedy," the report proposes.

Governor Brown's administration has requested funds for the construction of 10 new prisons in the next decade. The anticipated cost of such a program is \$1 Billion. "The only certainty about this plan is that it will not reduce crime and it will be costly to implement," the report predicts.

Under the short-term policies recommended in the report, NCCD claims that California could begin to significantly reduce its prison population within 12 months. NCCD states that its long-term recommendations are intended to help the state move toward a more effective, humane and economical system without its experiencing the chaos that has plagued past reform efforts.

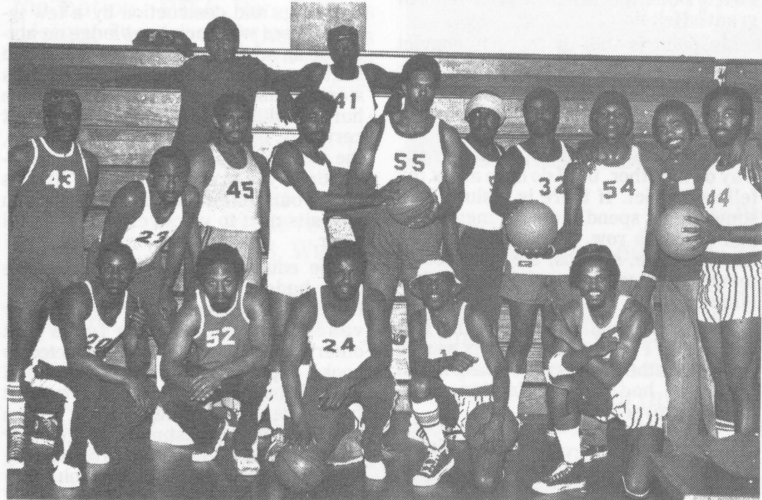


# Pirates Score Victories Over Two Outside Teams

The San Quentin Pirates scored double victories in both basketball games played over the last weekend, according to officer Cathey, who will be

mented that it was a different experience playing at San Quentin and added that "it's a little intimidating."

Melvin Jackson was the top



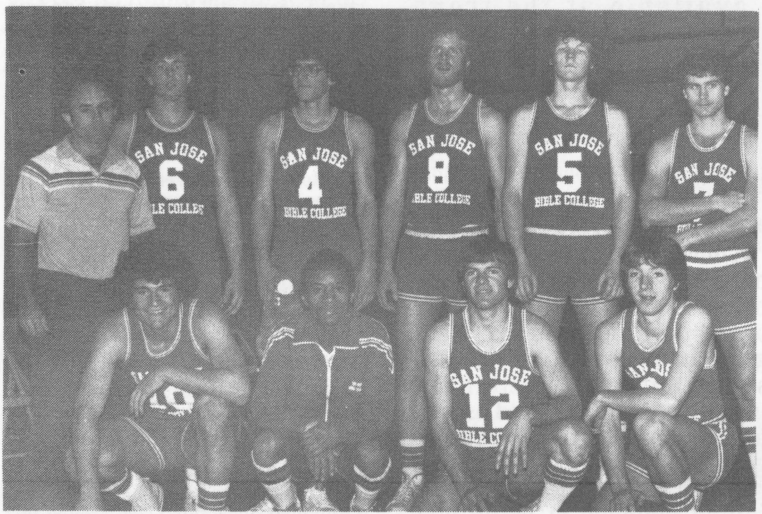
SAN QUENTIN PIRATES — January 1981

coaching in Mike Ferretti's place for a while.

In Saturday's game against San Jose Bible College, the pirates finished with a 30 point

scorer in that game, with Joe Ratti and Cecil Davis also making more than their share of points.

On Sunday, the Pirates met



San Jose Bible College.

lead with the final score being 74 to 44.

This San Jose team, under coach Lee Roberts, com-

the University of the Pacific Medical School and walked away with another victory, 60 over 38. Jackson was again among the high scorers, along with D. J. Jones and Armstead Cole.

## Holiday Show ...

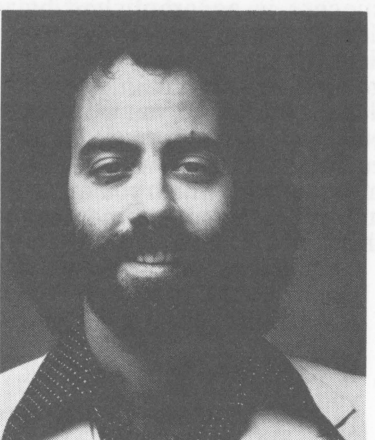
Continued from page 1

Those people out the bay area will remember Marvin Holmes, formerly Marvin Holmes and the Uptights. For years they were the sound of the club "Lucky 13" in Albany, the man knows how to entertain a crowd.



LADY BIANCA

Also appearing at the holiday show will be SQ's Brothers of Soul and Southwind.



WILL PORTER

## An Inside Look at The Star Program

By Carl D. McQuillion

Are you tired of seeing the occasional ads about Star classes and never knowing fully what they are all about? A friend, perhaps not much more informed than you, might tell you it is a positive thinking group, a motivation group or a mind trip. Each description would fit, but it can only conjure understanding in direct proportion to your own level of awareness.

We all know how difficult it is to maintain any semblance of a positive attitude under these negative and repressive circumstances. The negativities we each encounter daily often keep us right on the ragged edge of sanity, and many go over the edge, manifesting in violence what this environment generates. If you want to learn Eastern techniques to make your present more endurable and beneficial to you, the psychological concepts we describe can bring a discipline to you mind you can not yet conceive fully.

For you men facing long years ahead, the techniques described and suggested can make what appears to be an unbearable reality not only bearable but fruitful to you.

Those of you who are so full of hate that it is eating you alive may well find the means to make that hate less important and less dominating. After all, is it really doing you any good? If you think it does you any good, consider the results you've been getting.

If you are preparing for release and want to learn what it takes to become successful in the business world, the insights you can gain through the revealed disciplines of the course can open new doors you never believed possible for you.

If you are seeking to develop spiritually and are turned off by orthodox religions that stifle the human spirit, the Star classes subscribe to the Eastern path to spirituality and show you how to apply this philosophy in the Western world.

It does not take a strong man to be violent. It is a weak man who responds to stresses in his life by violence and disrespect. A truly strong man relates to other people with courtesy, respect and compassion.

For eight years, I have watched the few privileges extended to the men here slowly get taken away because of a few weak men. San Quentin will continue to get more oppressive until each man decides it is he who must discipline and strengthen. San Quentin will remain an environment of hate, paranoia and death. Each man must find the path of least resistance — that path is found by turning inward.

Check out the Star classes. You've got nothing to lose.

To enroll, you must have night movement. Send you name, number and housing to Star Office, west block. The classes are held each Thursday night.

As of this article, only those men who send in enrollment requests will be placed on the movement sheet. Except for the regular attendees, all other lists are voided.

If you men in close custody are interested in attending these classes, and if enough men are interested, there may be a possibility of a daytime Star class each week, but you have to ask for it.

## Law Column

### People vs. Harvey, 112 C.A. 3rd 132

#### Summary

Defendant pleaded guilty pursuant to a plea bargain, to voluntary manslaughter and two counts of assault by means of force likely to produce great bodily injury Penal Code, § 217 and was sentenced to a term of eight years and eight months in prison. The trial court refused to impose the one-year enhancement of sentence provided in Penal Code, § 667.5, for persons who have served a prison term for a prior felony conviction, basing its refusal on the ground that the enhancement could be imposed only if the prior term of imprisonment had been completely served. Defendant had a prior conviction for robbery but at the time of this proceeding was incarcerated for parole violation. The trial court imposed consecutive "great bodily injury" enhancements under Penal Code, § 12022.7, of one year on each of the Penal code, § 217, convictions. (Superior Court of Monterey County, No. CR 6977, Harkjoon Paik, Judge.)

On appeal by the People the Court of Appeal affirmed. Though it held that a one-year enhancement for the prior felony conviction should be added and the one-year enhancement of one of the assault convictions should be deducted, it noted that the resulting total sentence was not affected. The court held that the prior felony enhancement was applicable regardless of whether defendant had completed the prior term of imprisonment or was still incarcerated on parole violation. It further held that the consecutive "great bodily harm" enhancements did not apply to assault convictions under Penal Code, § 217, notwithstanding an amendment to Penal Code, § 1170.1(a), including such crimes within the enhancement provisions of Penal Code, § 12022.7, and stating that such had always been the intent of the Legislature when it enacted the enhancement provision in 1977. The court held that it was bound by a decision of the Supreme Court that consecutive "great bodily harm" enhancements did not apply to convictions under § 217. (Opinion by Elkington, Acting P. J., with Newsom and Grodin, JJ., concurring.)

### People vs. Whitehouse, 112 C.A. 3rd 479

#### Summary

Pursuant to a plea bargain, defendant was convicted of forgery, arson of an automobile, attempted murder, assault with a deadly weapon, and being an ex-felon in possession of a concealable firearm. It was alleged defendant personally used a firearm within the meaning of Penal Code, §§ 1203.06, subd. (a)(1)(i), and 12022.5, and inflicted great bodily injury within the meaning of Penal Code, § 12022.7. Relying solely on the personal use of a firearm, the trial court chose the upper base term of five years for assault, then imposed an additional three-year enhancement for the infliction of great bodily injury, and imposed an additional consecutive subordinate term of eight months for the forgery. (Superior Court of San Diego County, Nos. CR 44136 and CR 45999, Robert W. Conyers, Judge.)

The Court of Appeal remanded for resentencing on the forgery count, and in all other respects affirmed. The court held the trial court properly used defendant's personal use of a firearm to aggravate the base term for assault; as gun use is a relevant fact for which an upper base term may be imposed even though it is also charged or chargeable as an enhancement, and even after it is found to be true, so long as the additional term of imprisonment is not imposed. The court rejected defendant's contention that use of a firearm is an element of assault with a deadly weapon under Penal Code, § 245, subd. (b). However, the court also held the trial court erred in failing to state specific reasons for imposing the consecutive sentence for the forgery charge. (Opinion by Work, J., with Lord, J., concurring. Separate concurring and dissenting opinion by Wiener, Acting P. J.)

### In re Rogers, 28 Cal 3rd 429

#### Summary

In a serious offender hearing held pursuant to Penal Code, § 1170.2, to determine the sentence of a prisoner originally sentenced under the Indeterminate Sentence Law, the Community Release Board added three extra years to the prisoner's determinate term on the basis of prior convictions of Penal Code, § 288, despite the prisoner's introduction of a minute order from a subsequent jury trial showing that the trial court had ruled the prior convictions were constitutionally invalid. In habeas corpus proceedings by the prisoner, the trial court found the board exceeded its authority in extending the prisoner's term and ordered the board to recompute the term and delete the extension. The board appealed. (Superior Court of Sacramento County, No. 54979, Hohn J. Boskovich, Judge.)

The Supreme Court affirmed. The court held it was not permissible for the board to utilize the constitutionally defective prior convictions to specifically add three years to the prisoner's determinate sentence. The court held that a court determination that a prior conviction is constitutionally invalid is res judicata as to any related administrative proceedings which seek to impose additional sanctions based on the invalid prior conviction. The court noted the effect of the consideration of the priors by the board was direct and measurable, and the board did not merely consider the conduct underlying the prior convictions as part of the prisoner's social history, even though it might have been justified in enhancing the term on that basis, but specifically considered the invalid priors as evidence that the prisoner was unfit for earlier release. The court rejected the board's contention that the prisoner should have been required to initiate proceedings to vacate the judgment before he asserted its invalidity as a bar to enhancement of punishment. (Opinion by Bird, C. J., with Tobriner, Mosk, Richardson, Manuel and Newman, JJ., concurring. Separate concurring opinion by Clark, J.)

## MAC Notes

The weekly meetings of the Men's Advisory Council will be moved from Tuesday afternoons to Sunday evenings, effective Feb. 15.

All members are urged to attend the meetings which will begin when the 6:20 movement is called.



# San Quentin Escapee Is Captured in Los Angeles

The San Quentin convict who escaped last November when he was taken to Larkspur for a doctor's appointment was captured Thursday night in Los Angeles when he was reportedly caught in a burglary.

Mike Madding, San Quentin information officer, said the Los Angeles County Sheriff's Department arrested Richard Thompson in the act of a burglary, but he did not know further details.

After the arrest, officials discovered that Thompson was the man who escaped with the aid of an armed accomplice on Nov. 24.

The 42-year-old convict had been taken to a doctor's office

on South Eliseo Boulevard for a test in connection with his longtime hearing problems. As he was being led back to a prison van by a correctional officer and a medical technician, both unarmed, a friend of Thompson's got up from a bench outside and pulled a sawed-off rifle.

The accomplice took the keys to Thompson's handcuffs and the van, locked the prison employees inside the vehicle and left it behind the medical office. The two managed to get the attention of a woman walking her dog who called the prison and police. Eventually, someone brought keys from San Quentin to unlock the van and free the two.

## Work Furlough for 'Dago' and 'Sacto'

Pursuant to Penal Code sections 6260-65, the Department of Corrections has entered into a community reentry program contract for male and female felons with Model Ex-Offenders, Inc. The location of the facility is Model Ex-Offenders, Inc., 1719 National Avenue, San Diego, CA 92113, Phone (714) 234-6191.

Model Ex-Offenders is an established, community-managed program. The CDC contract provides for supervision, room, board and such other services stipulated in the Community Facility Guidelines. The contract provides for 25 participants per day for inmates who are closer than 30 days — but no more than 90 days — from their scheduled parole date.

Candidates must be scheduled for release in the San Diego area. In addition to the Classification Manual screening criteria, all placements will be approved by mutual consent of the Department of Corrections and Model Ex-Offenders staff.

Another community reentry program contract for male felons has been established with the California Congress of Ex-Offenders, Inc. This facility is in The Sacramento area and is called The Sojourner House, located at 1921 28th Street, Sacramento, CA 95816.

The Sojourner House program is an established private community program. The Department of Corrections' contract provides for two beds for female felons. The purpose of the program is to provide a stable, care-giving, stimulating environment for eligible female inmates and their infant children.

## Shots End Fight

A total of six shots were fired to break up an altercation between two convicts—and eventually involved a correctional sergeant who tried to break up the fight.

According to Mike Madding, prison information officer, two inmates began fighting at approximately 5:30 p.m. Two warning shots were fired to break it up and then, as a crowd began to gather, the two inmates began fighting again—causing the gunrail to fire two more rounds.

The correctional sergeant who ran to the scene was reportedly struck in the face by a convict in the crowd gathering to watch the incident. Two more rounds were fired by the gunrail, ending the incident. The two men involved in the dispute and the convict who allegedly struck the sergeant were all locked up pending investigation of the incident.

## Oregon Bill Would Legalize Possession

SALEM, Ore. (AP) — Oregonians could legally possess up to three marijuana plants and up to 1 ounce of dried marijuana in their homes under a bill introduced Friday by the Oregon House Judiciary Committee.

Legal possession would require a \$20 annual license from the Oregon Liquor Control Commission.

The bill also would outlaw sale to minors of drug paraphernalia, such as water pipes or so-called roach clips. Violations would carry penalties of up to one year in jail and a \$1,000 fine.

It now is a crime to possess more than 1 ounce of marijuana or to possess any plants.

# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 7

TAMAL, CALIFORNIA 94964

Friday, Feb. 13, 1981

## A Nine-Year Ordeal

# Owens Declared 'Not Guilty'

Anyone who has been in prison for any length of time has heard fellow prisoners proclaim their innocence, "Yeah, we're all innocent."

Unfortunately, this is sometimes a reality. People do spend years in prison for crimes they did not commit. San Quentin is presently housing at least one such individual.

Aaron "Knowman" Owens, a 37-year-old man from Oakland, has been in San Quentin and Folsom for the past nine years. He stands convicted of two counts of first-degree murder. Two crimes he did not commit.

Throughout the ordeal, Aaron has gone through one lawyer after another. As expected, they attacked the problem by claiming procedural error at the trial level. None would listen to Aaron's claim that he was innocent. As a result, he became caught up in the system. The appeal process offered no relief, and he began making appearances before the parole authorities. "Unsuitable for parole" was the result — year after year. Not guilty of the crime, but unsuitable for parole. The frustration grew with each denial.

At a recent parole hearing, Aaron concluded that his attorneys were doing him no good. He decided to see whether the assistant district attorney attending his parole hearings would be willing to listen. An unusual situation, for sure. His lawyer would not listen to Aaron, but the prosecutor there to argue against his being granted parole would — and did.

## Convict Stabbed Twice At Dry Cleaning Plant

A San Quentin prisoner suffered two minor stab wounds after being assaulted at the vocational dry cleaning plant Feb. 11, according to Mike Madding, prison information officer.

Madding said that officers responding to the scene apprehended one suspect and retrieved a rusty, 12" prison-made knife. The victim was treated and released from the prison hospital following the stabbing.

The assistant district attorney examined the facts Aaron presented to him. They aroused sufficient question to warrant an investigation, so a special investigator was assigned to look into the situation. The investigator's findings were presented to Mr. Lowell Jensen, district attorney for Alameda County. Mr. Jensen was apparently convinced of the accuracy of the conclusion, and he has initiated procedures to win Aaron's release.

"I expect a full pardon," Aaron explained. "It may mean having to accept a parole until the pardon has been signed by the Governor, but at least I'm on my way."

The inevitable question as to whether he's bitter prompted this response from Aaron, "Yes, I'm bitter. Not to the point where my thinking has become distorted, but I feel just as anyone would who spent nine years in prison for something he didn't do. It hasn't been a pleasant experience, believe me. I've lost the pleasure I would have had watching my kids grow up. I regret not having been allowed to attend my father's funeral. The material things I've lost can be replaced, but nothing can replace the years I had to spend locked up."

## Autopsy Results

## Chase's Death Called Suicide S.F. Chronicle

The death last month at San Quentin Prison of Richard Chase, dubbed the "Vampire Killer" because he reportedly drank the blood of some of his six victims, was a suicide, according to the Marin County coroner.

A San Quentin officer found Chase dead in his Death Row cell on Dec. 26. An autopsy released Thursday by the coroner revealed Chase ingested a fatal dose of an antidepressant medication, Doxepin.

Mike Madding, prison information officer, said Chase had been on heavy medication because of mental problems. He said the murderer probably saved up some doses to take his own life by pretending to swallow pills given him.

San Quentin prisoners are given medicine one dose at a time, but sometimes they pretend to take a dose by putting it under the tongue until the officer leaves.

Chase, a former mental patient, was found guilty of the murders of two men, two women, a young boy and an infant in December 1978 and January 1979 in a residential area northeast of Sacramento.

Authorities said the infant was decapitated and the women, one an expectant mother, were mutilated.

Chase, who made several requests for blood while in prison, told officials he drank some of his victims' blood to ward off the effects of poison he had been given.

Aaron will be leaving San Quentin within 30 days. He will be going back into the outside world to rebuild his life. He takes with him the memories and experiences of the ordeal. "All I can do is start over," Aaron explained. "If I had to say what all I've learned from this I'd say, 'A lot.' One of the main things is directed towards the lawyers who represent people in prison. They tend to follow the presumption of guilt that comes into effect when someone has been found guilty by a judge or jury. From that point on a man is presumed to be guilty, and many lawyers have become too complacent or lazy to investigate a case. Whether they like it or not, there are people in prison who did not commit the crimes for which they stand convicted. And not all of them will be leaving with the same frame of mind I have. Believe me, the years of frustration take their toll."

## Violent Group Proposal

Attorney General George Deukmejian says he will sponsor a bill that would make it a felony to knowingly belong to a "violent group," a measure sure to create controversy.

The conservative Republican announced last Friday that Sen. Diane Watson, a black liberal Democrat from Los Angeles, would introduce the measure next week.

Deukmejian said the bill would apply to the Ku Klux Klan, among other organizations. Deputy Attorney General Vance Raye said that to convict someone under the bill it would have to be proven the member knew of the "violent nature of the group and had specific intent to further its violent goals."

The measure will undoubtedly draw strong opposition from civil liberties groups. Brent Barnhart, a lobbyist for the American Civil Liberties Union, said his organization would have "serious problems" with the bill.

## Gunfire Roars In 'A' Section

A warning shot had to be fired in A Section Feb. 7 at 12:31 p.m. to break up a fistfight between two convicts embroiled in a personal dispute.

# State's Prison Terms Criticized

SACRAMENTO (AP) — California's increasingly stiff prison sentences appear to have no effect on the crime rate but are a "time bomb" for the state prison system, a state official said last week.

The most recent statistics show that California has longer prison sentences than other states, and a higher percentage of its population in custody than any nation except South Africa and the Soviet Union, said Brian Taugher, deputy secretary of the Youth and Adult Correctional Agency.

But Taugher told the Assembly Criminal Justice Committee that there was "no evidence that by increasing sentence lengths . . . you have any effect whatsoever on crime rates."

He conceded that criminals sentenced to additional years in prison couldn't commit new crimes on the public for those years, but said that while 9000 persons a year are sentenced to prison, as many as a million crimes are reported in California each year.

Taugher also noted that the Legislature, while increasing sentences for most crimes in the last few years and requiring prison terms for many crimes, hasn't approved any new prisons.

The statistics on sentencing came from 1976 and 1977, before California passed a series of laws doubling sentences for non-capital murders and repeat rapes, and requiring prison sentences in most or all

cases for such crimes as rape, night-time residential burglary and infliction of serious injury.

In 1976, Taugher said, California prison sentences for all crimes averaged 34 months; no other large state averaged more than 20 months.

In 1977, California had 256 persons in prison, jail, the Youth Authority or some other custody for each 100,000 of its population, a figure that has certainly risen since then, Taugher said.

United Nations figures showed South Africa had 460 per 100,000, the Soviet Union 391 and the United States 208, Taugher said. Great Britain had 84, West Germany 60, France 56 and the Netherlands 22.

Joan Lisator  
251 Olorinda Ave.  
San Rafael, CA.  
94901

—WEEKEND MOVIE—

## “Dracula”

In this version by Andy Warhol, Dracula craves the blood of virgins, only. As you might expect, he's constantly on the verge of starvation. Stars Joe Dallesandro. Rated R.

—HOLIDAY MOVIE—

## The Blue Lagoon

This movie focuses on the adolescent experiences of an English boy and girl who are castaway on a South Seas island in 1908. Brooke Shields stars as the girl. Rated R.



# Corrections — A Conflict of Views

Contributed By Carl D. McQuillion

Moralists, as a rule, tend to subscribe to a philosophy that, by definition, undertakes to prescribe individual conduct from a standpoint of good and evil.

In practice, in my opinion, most moralists live a life of contradictions and, for that reason — initially — I rejected Western religion. Later I learned the difference between idealisms and application, or interpretation.

What has never set well with me was the idea of worshipping a father-figure image portrayed as the Almighty, the Creator, or God, someone who looked like Santa Claus, or Moses. Such an image seems to confine the concept of God into terms symbolized for human comprehension. Worship becomes a ritual conducted for an external entity. To define God in true terms is really beyond the average human comprehension.

Man is a creation not of his own but of his environment, his experiences, his education and culture, his perceptions and responses, and his value system. As an externally motivated creature, he caters to influences outside of himself to bring fulfillment. He pursues diverse goals — money, love, fame, fine homes, parties, cruises, successful careers, etc. — in the hopes and expecting that these things will bring happiness.

This concept is carried over into religion, and Western man in particular supplicates and confesses before a mental image of what he believes represents God.

America is a country of diverse cultures and racial origins. It is a melting pot of philosophies and sanctions. It is a society where men are divided into many classes and where each class finds something about the others to be prejudiced about.

Within such an environment, parents raise their children, and parents raise themselves. Some people grow into healthy, well-adjusted spiritual people. Some live unhappy but law-abiding lives. Some are so poorly envolved that they manifest destruction everywhere they go.

Because Western man is run by his ego-self (conditioned-self, outer-self), those who subscribe to law-and-order endorse laws that are harsh and vindictive, thinking perhaps, that such measures reform, or deter — "I'll bet he won't do that again!"

But the same emotions that drive leaders to enact laws that are contrary to the mental health of all men are the same emotions in prisoners that come into play as the effects of those harsh and retributive laws. They only manifest differently because of their idiosyncratic value systems and thought patterns.

Criminal laws are made by emotional men and women responding to their own anger about and fear of crime — especially violent crime — and without understanding of the actual effects that will occur. The jails and prisons reflect in their horrid physical and psychological conditions society's dim view of crime and criminals. Criminals are less than human, an evil entity to be feared always, to be forever suspect, unchangeable, intractable, without redeemable qualities.

The tragic thing about it all is that those conditions create tremendous, pervasive

psychological pressures that most prisoners, feeling like dogs in a cage poked by a stick, respond to with rage and bitterness — some manifest it through physical violence; some keep it bottled up inside and there it becomes a living influence on how they conduct themselves.

It eats away respect for law, for government, for bureaucrats, for other people, and for themselves.

It eats away the compassion that healthy humans have.

It limits awareness and men become narrow-minded; they become callous to the needs of others; and they slowly shut down the positive capacities of their hearts.

This shutting-down process is a means to cope with the double-standards of their principles, and with the contradictions permeating their lives.

Some prisoners survived without too much damage, but virtually all lose their respect for the system. This is evident by the fact that 80% of all felonies are committed by repeat offenders.

In much the same way, John Q. Citizen lives his life, bitter with the government; at the bureaucratic mentality that mismanages the economy; angered because of the many government regulatory agencies he must address in supplication in order to be allowed to do anything — driver's license, hunting license, real estate license, license for this, licenses for that, forms for this, forms for that, taxes, taxes, and more taxes, etc.

John Q. Citizen fears crime and is angry because the police cannot adequately protect him. But, even though John Q. Citizen considers himself to be law abiding in his conduct, his own idiosyncratic value system will allow him to rationalize, when the occasion permits, a compromise when it is wrong or unethical. Strategies in business, they are called, using loopholes in the law to justify actions contrary to ethical standards, and morally wrong. It is said that every man has his price.

Criminals, on the other hand, because of their own idiosyncratic value systems, respond to stressful situations in more obvious incorrect and unacceptable fashions, some by violence as the perceived means to alleviate their own suffering (anger, hate, depression, neurosis, etc.), and some by theft in order to acquire the things they expect will bring happiness and contentment.

of good and evil as the moralists would have everyone believe, but rather of mental development. Western man has somehow evolved in a regressive fashion where he no longer subscribes to a naturalistic value system but to a system where his values are unstable, contradictory, and confusing, and where his belief system is structured accordingly. Rationalizations replace rational thought. Expediency replaces efficiency and competence. Politics replace integrity and truth.

I have heard prisoners say, time and again, that they are not interested in materialistic success, that what they want is happiness and fulfillment, yet few can define the vague term happiness. Fewer still have any concrete or meaningful goals, but then again, the same can be said for much of free society. Many people do not realize that they can have both

happiness and material success.

Eastern thought subscribes to the concept that in order for man to become happy and fulfilled he must first deny his ego-self and turn inward to his inner self (soul, essence, spirit).

Happiness is the absence of pain. Much pain is caused by having expectations we have no right to, by disillusionment when an experience doesn't fit our picture of it, by the stresses of labeling things and experiences good or bad, and by our own frustrated desires.

Such pain occurs from external factors, and the degree of influence in our lives is in direct proportion to the level of energy we put into that pain. The more energy we give it, the more power it has over us. We give it life by embracing it.

Since the subconscious mind (which controls habits and attitudes) does not know fantasy from reality, what the conscious mind dwells upon registers in the subconscious mind as reality. Perceived injustices impacts upon thought patterns and belief structures, and modifies them, thereby modifying one's idiosyncratic value system. An externally-derived idiosyncratic value system fluctuates with the emotions.

The Eastern path to spirituality guides one according to a naturalistic value system. One turns inward through meditation to find his true self. He loses his ego as the dominating force in his life. By specific techniques he realigns and purifies his thought patterns, belief structures and idiosyncratic value system.

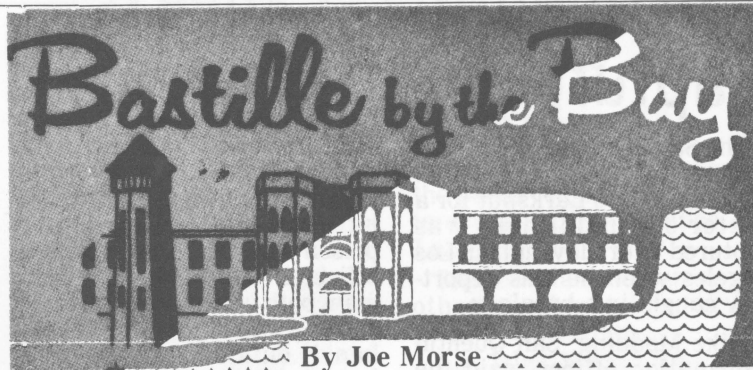
He becomes health-conscious, compassionate and strong. His nervous system becomes purified and he evolves into happiness, spontaneity and fulfillment. He finds contentment in being rather than having.

What public pressure, law-and-order mentalities, legislators, and correctional administrators are doing in making and maintaining the harsh, vindictive and repressive measures to criminal conduct are, in most cases, forging an increasingly dangerous threat to society by inciting psychological responses in prisoners that further their criminality.

What the indignant and angered moralists are doing is far worse because of its emotional deliberateness than most of the crimes committed.

Does it make any sense at all to deal with men who have committed crime in such a way as to make them more vicious than they ever were? Each human alive has the capacity inherent in his make-up to be constructive or destructive, to be mature or immature, to be callous or compassionate, etc. How he is treated and how he perceives this treatment determines what his manifestations will be. Current correctional methods and environmental conditions simply encourage the growth of negative manifestations.

In this article, I do not intend to exduse criminals for their conduct. Each man must learn individual responsibility and be accountable for what he does. But first, one must be able to understand life, himself, and behavior. He must have the desire to reorganize his life. He must be encouraged to do so, not treated in such a way that breeds anger and bitterness.



This stinking job is starting to tax my limited abilities. I'm expected to knock out an objective editorial from time to time, but have ya ever tried to be objective when you're in a c%#@ the world mood? It ain't easy, believe me.

What I oughta do is shine the whole thing on this week, but it has become a matter of principle. A decent writer is supposed to be able to overcome his moods. So . . . I'm gonna prove that the state made a bad investment when they hired me. Then again, I don't know what the hell they expect for 25 bucks a month. Looks like what ya get is what ya get.

Okay, back to my responsibilities. This ain't the week to do any backsliding. Our new journalism advisor begins her duties this week, and I gotta do my best to dazzle the broad with my skills. The rest of the News staff is busily knocking out copy — but the weary editor sits at his typewriter muttering, "Drop the damn bomb!"

This reminds me of the days when I used to knock out editorials while recovering from a hangover. I used to knock out some real zingers then too. My editorials used to be so consistently bad the reader assumed that was my writing style. And I had an answer for everything. Just toss out the quandry, and I'd provide the solution. Let me tell ya, folks, if they had followed my suggestions there would be no problems in SQ today.

Has the problem with the kitchen workers been solved. Hell no! I had no way to get around the fact that people don't like working all week for little or no pay, but I did offer a solution. I suggested the kitchen workers be expected to work nine days a week for a few months. That would no doubt make a six or seven day week seem like an improvement in conditions. Right? I'm telling ya, man, I have a million of 'em.

Yeah, those were the good old days. Ya should have seen the way I handled the conditions of the cell blocks. Remember the wind that used to blow through the broken panes of glass? Well, in case ya ain't noticed, it still does. If they had followed my suggestion to cement up all the openings for the windows, we wouldn't have to sleep in thermal underwear in June.

I still hear comments on the way I dealt with the problem of inmate-staff relationships. It seems they were having a slight communications problem, but any dummy could have figured out the best way to handle it. We just stop talking to each other. How the hell can arguments start between a con and a guard if they ain't talking to each other? Makes me wonder how they got along without me.

I tackled the pay number issue with equal fervor, but it too resulted in failure. This was one of the few times when the mainline should have chosen someone else to champion the cause. I knew we had booked a loser when I made my first demand, "We want higher pay numbers!"

The staff member I was addressing looked down at the file before him and replied, "What the hell are you complaining about? It says here you've never worked on the streets. Why wait till you get here to start demanding decent wages?"

Rest assured, the SQ News staff didn't take that lying down. We stayed out of the office for three weeks. Unfortunately, no one noticed the fact that the paper wasn't coming out.

Well, rather than sit here pondering the good old days, I'll deal with the present and let ya know about the improvements ya may or may not see in the future issues of the News.

As I said, we've taken on a journalism advisor. Some broad who has been a reporter for a few years and teaches journalism at the College of Marin. You'll have to read about her in other sections of the paper. The moment she walked in the door, Jimmy swooped on her and started muttering, "Make me a journalist, lady. I kin write reel good."

The broad has no say as to the content of the paper. Like it or not, you'll continue getting what you get. However, there should be an improvement in the quality of the things you do read. Up till now, the News staff has had to rely on my judgment — and that ain't too cool. My only test for quality has been running the article. If it doesn't get me stabbed, fired or shipped out I figure it must be okay.

That's your issue for this week, folks. Keep those cards and letters rolling in. At last count, our circulation has increased by six. Six new readers! Man, oh, man. If the parole board could see me now.



# Vocational Training\_

## An Alternative to Looting, Plundering

By B. Washington

There are 14 vocational training programs being offered behind the walls of SQ. Many people have chosen vocational training as an alternative to the trade, or lack of trade, that brought them here in the first place. At present there are 197 men enrolled in a vocational training program which has a capacity for 237 men. The 14 trades range from the highly technical to the very creative with each having a definite place in today's job market.

Recently, new custody and level placement changes are taking place throughout the CDC. The effect of it is being felt in the vocational programs. Men have been pulled out of their trades and transferred to various institutions. More often than not, the new institutions do not offer his trade. The auto shop here in SQ is one such victim of the custody change policy. Filled with new equipment, it remains accessible to only a very few because of its location near the bay.

With SQ being designated a Level IV prison, there has been an increase in the close-custody population, and this has caused a few variations in the vocational programs. Because of where most of the trades are located, the close-custody men can't participate.

Ernie Bradford, supervisor of vocational instruction, realizing the existing problem, has created classroom-training programs in the education building for those close-custody individuals wanting to learn a trade. However, a person can only learn so much from a book or a chart. There reaches a point where practical application is in order. To fill that need SQ is trying to purchase technical equipment fit for classroom situations, such as a computerized welding machine that does everything except shoot an arc of flame. It'll tell the student whether he's doing the particular piece of work right or wrong and allows him to make adjustments. Yet, even though the welding computer is invaluable to the classroom setting, it still remains only a dream of Ernie Bradford until SQ receives the necessary funding.

### Vocational Meat Cutting

As of now this program only covers wholesale cutting, not the specialized retail cuts.

This is a 4000-hour course with two special requirements: you must have a tolerance to cold, and no communicable diseases.

Because of the constant change in instructors there hasn't been any help available in finding jobs upon completion of this course. However, after completing this course a person should have no problem in finding a job on their own.

The course includes classroom sessions, and a buddy system is used to help new students. There are also four pay numbers available that alternate between a 15-man crew.

### Electric Shop

This is an 8000-hour course. The special requirements are 8.5 grade placement level and one year of algebra. Upon completion of this course a

person can become an indentured apprentice. At the present time there are six indentured apprentices enrolled in the class.

Paroling cons can get job assistance through the International Brotherhood of Electrical Workers. Also, the trade instructor offers assistance through his various contacts on the outside.

There are only four pay positions in the electric shop and they go to the advanced students.

### Electronic Technology

This course is the newest of the vocational programs. The instructor Mr. Jarvis, says that the only requirement is to "have the desire to learn."

The fundamental class is a 63-week course that will cover everything from televisions to computers. The type of equipment used will be updated and diversified. And upon completion of the course you should be able to get licenced.

Because of the newness of the course its job placement assistance upon completion level is ?. And as of now there is no pay number available.

### Vocational Baking

In the recent ACA tour this was the only part of the kitchen to pass the inspection.

This is a 3300-hour course with three special requirements: you must have a tolerance to heat, you can't have any communicable diseases, and you should have the ability to lift at least 100 lbs.

This course is an accredited apprenticeship program. Some people completing the course have also recieved assistance in finding employment upon release. As of now there is no pay number available.

### Dry Cleaning

This 3,500-hour course takes a grade placement level of 8.5 to get into. Its other special requirements are good health and good hands.

Parolees from this trade can find job assistance through the dry cleaners union and also through the instructor.

All positions are paid wages due to the employee work done.

### Landscape Gardening

This is a 2,000-hour course with the following special requirements: good health, and no child molesting.

Job assistance is available through the instructor and the program is directly affiliated with the California Landscape Contractors Association.

There are some paid positions.

### Machine Shop

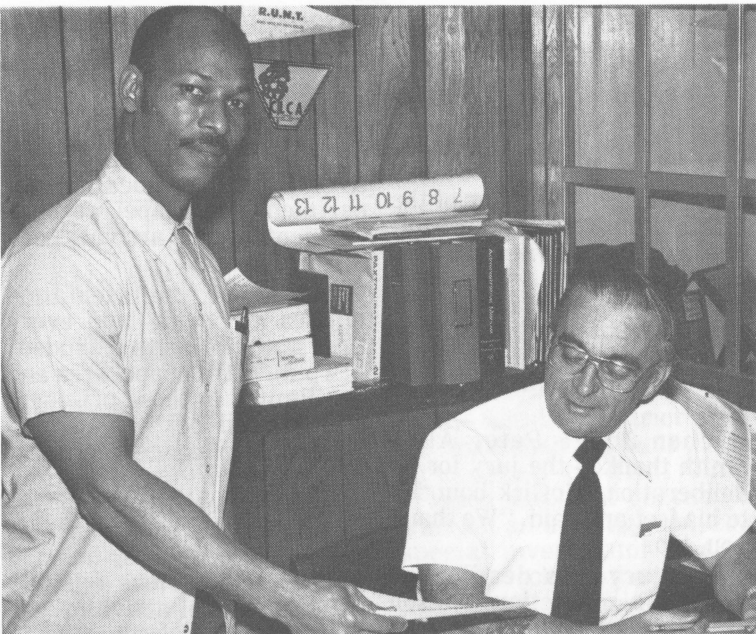
For this trade, along with having a 8.5 grade placement level, students must also pass a 30-day probation period to see if they qualify for the class.

At completion of this course enrollees can become indentured apprentices. Job assistance is available through the union and the instructor.

There are four pay positions that alternate between a 14-man crew.

### Sheet Metal

This course is 8,000 hours in length. Its special requirements are 8.5 grade placement level, working knowledge of basic math, and the willingness to learn.



BILL FIELDS AND ERNIE BRADFORD

At completion of this course enrollees can become indentured apprentices. The sheet metal union meets quarterly with students that want to join.

Job assistance is available through the union.

There are some paid positions that go to the advanced students for maintenance work done.

### Welding

This course is 2,250 hours in length. The special requirements are: 8.5 grade placement level, no visual limits, and no respiratory illnesses.

The instructor in this course sends out fliers to different companies so that he can keep his class up to date on new techniques. The trade advisory council also assists by getting students ready for the job market.

There are no paid positions in this shop.

### Electronic Data Processing

The special requirements for this class are 9.0 grade placement level, and the desire to learn.

The course is 3,750 hours in length and covers everything from computer programming to systems analyzation. The course gives a student a chance to gain computer knowledge at his own pace. The student also sets his own limitations.

The waiting list for this class is extremely long. With the field being so demanding it's been hard finding another instructor willing to work here with a reduction in prevailing street wages.

Parolees leaving from this course haven't had any trouble finding jobs. Once a month potential employers visit the class to see if what students are being taught is hireable in today's job market.

There are a few pay numbers in this class that go to the advanced students for outside work orders done.

### Office Machine Repair

This course is 4,800 hours in length and requires a 8.5 grade placement level to get into. There are no other special requirements for this class.

Right now the trade is operating under a relief instructor. But before the last instructor retired he set up strong TAC ties for his class. The course is an apprenticeship-backed course and paroling individuals can get job assistance through them.

There are a few pay numbers available to the advanced students for maintenance work done.

### Plumbing

This course is 6,720 hours in length and its only special requirement is a 8.5 grade placement level.

Students finishing this course have had help in finding jobs through the instructor and through the union. Persons on

this course can become indentured apprentices by passing the test given every so often.

There are a few pay numbers available for maintenance work done.

### Offset Press

This course takes 5040 hours to complete. The special requirements are normal color vision and no forgery or counterfeiting.

Upon completion of this course you will be hireable as a pressman. However it should be noted that in the six years Bill Little has been teaching this class no-one has completed it yet. Those statistics shouldn't be a deterrent for anyone wishing to enroll in this class. Out of all the classes we've looked at so far this class has the best level of placement upon parole rate yet. Just about everyone that's taken this class has had help in finding a job, especially those paroling in the bay area.

Due to the outside work that's done in the shop pay numbers are available.

### Compositing

This is a 5,000 hour course with two special limitations: You can't have either a forgery or a counterfeiting on your jacket. You must have a 10.5 grade placement level in English mechanics — spelling and punctuation.

This trade is not affiliated with a union. Job assistance is available through the instructor.

There are five paid positions.

## Letters

Dear Editor:

First off, let me congratulate you on your most prestigious awards received from the Southern Illinois School of Journalism. The stories you received awards for were excellent stories.

On a more somber note, I have the duty to my writers to point out when one of their stories is printed in another paper and they are not given credit for the story. The story in question appeared in your Dec. 19 edition and was entitled "A Christmas Remembered" — supposedly written by Ronald James Hebrard. This story appeared in the December 1979 edition of the "Vacavalle Star" and was written By Vern McKee, who is a very close friend of mine.

Vern relates that he is flattered that Mr. Hebrard thinks enough of his writing to want to take credit for it, but you and I both know we cannot tolerate plagiarism in any form. I would be most happy to send you the printed version of the December 1979 issue of the Star if you do not have it in your file already — to verify that what I am relating to you is, indeed, true. You will see that Mr. Hebrard copied the story almost word for word.

On another note, the Star is currently closed down. I was locked out of my office Jan. 5. We have been getting good press coverage and we hope to be back in court within a week to have the Star reopened.

Once again, congratulations on your success with the News and I pray that we all will be able to continue to do the job we have set out to do — that of reporting the life we live in state prison.

Sincerely,

Vic Diaz, Editor  
Vacavalle Star

## African Cultural Message From Sate

By G. B. La Rue

Do you desire to gain more knowledge concerning Africa, her proud people and the connection you may share with them? If your answer to the preceding question was yes then the rest of this article is definitely for you.

If your reply was no then it would serve you best to reflect back on the words of sister Cayow, "Wake up! You better wake up!" If you are one of the fortunate persons who has already begun to awaken but are uninformed, you'll be pleased to learn that the Reverend Daina M. Clark is devoted to your total awakening.

Sister Clark has been reaching behind the walls of San Quentin with the Nguzo message for quite some time. She is noted and highly respected for her knowledge and work in several areas of black history, religious education, philosophy, sociology, theology and many other impressive studies.

This wonderful woman has taught, directed research, and lectured in major schools and universities throughout California and she remains a driving force to this day. She has done more than her share in the community and her many contributions to ours can never be forgotten.

Sister Clark holds services in the Protestant chapel on the first and third Sunday of each month from 11:30 to 12:30 p.m. Unfortunately services conflict with our lunch hour, but they are well worth skipping chow to attend because the spiritual and intellectual refreshment you'll receive from this experience will surely fill you in the right places.

Frequently joining the Reverend Clark during worship services are brothers Herman Hollands, Jr., and Phil Colston, bringing with them the ceremonial drum rhythms of African cultures.

Services also include song, poetry, and other inspired readings. Sister Clark is also a very talented speaker as is evident in the graceful sermons she delivers to the congregation. She provides insight which will channel you through Africa and fill you with ancestral wisdom. She'll install in your heart greater understanding and appreciation for the Seven Principles, and your brothers and sisters. For as far as the imagination can reach, you'll travel through the history of Afro-America and view those who made major contributions that benefit our lives today.

At times the foundation of the Protestant chapel itself will seem to be resting on the soul of the Mother of Africa.

The brothers of the Sate organization also play an active part in these services just as you are invited to do so as a collective group. Future services bring a wider span of outside participation with the prospects being choirs, ensemble groups, ministers and outstanding bay persons as inspiring speakers.

You as individuals must decide if you are heavy enough intellectually to accept the educational opportunities which demand so little of your time and complete attention. You are encouraged to join us in worship Feb. 15 at 11:30 a.m.—and on the first and third Sunday of each month come see what unity is all about.

## San Quentin News

Entered as second class matter, April 23, 1944, at the San Quentin Post Office, CA 94964 under the act of March 3, 1879.



Second Hung Jury

# The Unsinkable Escape Suspects

S.F. Cronicle

For the second time in two months, a Marin jury has refused to convict two convicts who escaped from San Quentin in a canoe they made in the prison.

After two days of deliberation, a jury announced that it could not reach a verdict in the cases of William McGirk and John Waller, who are both 38 years old and serving time in San Quentin for robbery.

According to San Quentin authorities, McGirk, Waller, and another convict, 60-year-old Forrest Tucker, sailed away from San Quentin in August 1979, in a 14-foot-long canoe they built of wood and plastic sheets.

On the side of the boat was painted "Rub-a-Dub-Dub Marin Yacht Club," which made the vessel appear so innocent that a guard in the San Quentin tower who saw the men sailing away with some difficulty called to them to ask if they were all right. The men assured him they were — and McGirk was not seen again until he was arrested as a escaped prisoner in San Rafael two months later. Waller was captured in Gilroy in April of 1980, but Tucker has disappeared.

Twice the Marin District Attorney's office thought it had an open and shut case, but a jury has disagreed twice.

Deputy District Attorney Frank Nelson, who prosecuted the men in both trails, said yesterday he "couldn't explain" why the jury failed to convict the two men.

But one of the defense attor-

neys, Richard Hostetler of the Marin Public Defender's office, said the jury heard inconsistent testimony from prison personnel. He said one of the guards testified that he had talked to McGirk inside the prison at 3:05 p.m. the same day.

When Judge Peter Allen Smith thanked the jury for its deliberation, McGirk bounded to his feet and said, "We thank you, too."

The jury was deadlocked 8-to-4 for conviction. Nelson said he had not decided yet whether to seek a third trail for the men.

## Obligations

*Your only obligation in any lifetime is to be true to yourself.*

Richard Bach — "Illusions"

## Publication Advisor To Assist SQ News

The San Quentin News is pleased to announce that an outside professional journalist will begin working with us as a publication advisor starting Tuesday.

Joan Lisetor, who is presently employed as a journalism instructor at the College of Marin, will begin as a volunteer consultant to the News staff two days a week.

Having worked for the Marin County Independent Journal for 15 years and with the San Francisco Chronicle for five, we at the News look forward to the benefit of Ms. Lisetor's experience.

## Orientation Begins For New Arrivals

The Men's advisory Council recently joined with a Donner section counselor, representatives from the education department and chapel workers to orientate new arrivals here at San Quentin.

At present, the orientation classes are being held every Thursday (holidays excluded) at 2 p.m. in the chapel area and are limited to those prisoners still on "red-lock" status in D section. Attendance is by ducat only.

Areas covered in the orientations include such topics as visiting procedures, housing unit criteria, close custody policies, chapel activities, appeals forms, and educational, vocational and creative arts programs.

Mark Gale, vocational counselor for the education department, outlined the education programs here — from literacy training through lower division college classes — and utilized slides to review the 14 vocational programs available at San Quentin.

Walter Speights, president of the MAC, advised the new arrivals as to the function of the MAC being that of liaison between the staff and prisoners here. Speights covered a variety of subjects, including appeals procedures, quarterly package authorizations, medical and dental needs, canteen and visiting procedures. Speights said that the MAC has been concerned about the need for these orientations and that he is pleased to see it finally underway.

Donner section counselor Tom Goughnour commented that they will need to modify the present schedule so that the prisoners will attend the orientations before going to initial classification.

# Mexico Offers Alternative To Long-Term Prisoners

OTTAWA — Mary Lozano, a Ph.D. in cultural anthropology and a research officer with the Department of the Navy (USA), recently did a study on Mexico's revolutionary federal penal colony, Las Islas Marias, a 145-square-kilometre island paradise off the Pacific coast of Mexico where male inmates and their families are separated from escape by 90 miles of shark-infested waters.

She was in Ottawa to talk to Commissioner Yeomans and Senior Management Committee members about her six-month observations of the island prison.

Las Islas Marias is an amazing place. It's a maximum-security penitentiary where inmates are sent from mainland prisons.

They arrive by the weekly boat, a seven-hour trip, and their first sight of the island is one of residents waving a welcome to them.

New prisoners can elect to move in with other offenders from their region in Mexico, they can live in college-type dormitories or they can be assigned a house for themselves and their families.

There are no ID cards on Las Islas Marias, mail is not censored and long-distance calls are available if you can pay for them.

Prisoners work, prepare their meals, do their laundry, visit the doctor, repair their houses, see their guidance counselor, go to restaurants, send their children off to the local school each morning, and run their own business if they wish to.

Only two requirements separate them from free citizens; they must stay on the island and they must work.

No one has ever escaped and an offender who won't work is returned to another prison on the mainland. The island has so many benefits that this almost never happens, said Dr. Lozano.

Prisoners must find themselves employment from such occupations as farming, cattle raising, gardening, care of orchards, mechanics, electrical work, carpentry, tailoring, production of lime, salt and slab, construction, clerical, lumbering, domestic labor and service industries like barbering, restaurants, laundries, etc.

In this prison colony, rent and utilities are free and every offender gets a monthly food and clothing allowance as well as his subsistence pay from his job which supports him, and, if he works hard, his family as well.

There is no warden, no guards and no classification of inmates (being labelled dangerous only makes you more so, the Mexican government believes). However, there is a director and sailors from the Naval base serve as "police" or security staff.

There are movies, the beaches and lots of recreational activities. Inmates can roam anywhere after work is done although there is a 9 p.m. curfew. The Mexican Navy patrols the island 24 hours a day.

About 2,300 people live on the island of which 800 are prisoners. The naval base there also provides a source of jobs for offenders. Schools are good and so are medical facilities since Mexican citizens consider it a plum to work on Las Islas Marias because they can

easily save money and because the penal colony is such an interesting and unique place, Dr. Lozano says.

Mexico plans to set up another similar colony in the jungles of Yucatan.

Las Islas Marias (there are several islands) became a prison in 1905 during the Mexican revolution and housed political prisoners in "ghastly conditions." In 1930 it became a federal penitentiary and 10 years later a penal colony for inmates and their families.

Inmates don't have to be married to go to Las Islas Marias. They can form liaisons or marry after their arrival. Many offenders marry the daughters of other offenders. Sons are sent to the mainland, by law, at 16, to get them away from the prison atmosphere but daughters are free to stay or leave as they choose.

The colony has been very successful, says Dr. Lozano, because of its uniquely humane conditions. Fifty percent of offenders are murderers serving sentences of 10 to 15 years. Offenders know that if either they, or their wives, misbehave, they will be sent off the island and this acts as a strong deterrent.

It's not necessarily true what they say about Mexican prisons, said Dr. Lozano. She has visited several and found them to be attractive, exceptionally humane places — much, much better than many institutions in the U.S.

Mexican official penal policy holds that prisoners should be deprived of their freedom but not their humanity. Family unity is considered to be exceptionally important to social rehabilitation.

Unfortunately recidivism statistics were not readily available but there was no doubt that Las Islas Marias provides for a reasonably normal environment — but in relative isolation or exile.

The possibility of long-term offenders being incarcerated in a penal colony has long interested Canadian correctional observers and critics. Recommendation 63 of the Subcommittee Report on Penitentiaries is an example. It calls for an "in-depth study of the feasibility and viability of penal communities in reasonably inaccessible areas as an alternative to confinement in conventional institutions for inmates serving long sentences without eligibility for parole."

## Sate To Hold Elections Soon

The Sate organization of San Quentin will soon be holding elections for the positions of president, vice president, executive secretary, rules director and program coordinator.

Nominations for the various positions will be taken on Feb. 15. The election will be held Feb. 22.

In order to be nominated to one of the positions, the prisoner must be a member of the Sate organization and demonstrate a willingness to work for the betterment of the black population and the organization itself.

Sate holds its general meetings above the MAC office, and this has been selected as the locale of the elections. The entire black population is allowed to vote. One man, one vote.

# CANTEEN PRICE LIST

February 13, 1981

FOODSTUFFS		BEVERAGES CONT.		SUNDRIES CONT.		HAIR ACC. & CONDITIONERS CONT.	
A-1 Sauce	\$1.00	Tea Bags, 100	\$2.75	Paper, Bond 16 lb.	\$4.70	Brut 33 Hairspray	\$1.80
Bean Dip, Jalapenos	.60	Tea, Instant	.80	Paper, Bond 20 lb.	5.45	Chenti Panthenol Rinse	1.65
Beef Sticks	.30	Borkum Riff, 1.5 oz.	.35	Paper, Legal 26-line	10 for .13	Combs, Natural	.60
Candy, Bags	.65	Bond Street	.55	Paper, Legal 32-line	10 for .16	Combs, Regular	.45
Candy Bars & Lifesavers	.20	Bugler, 7 oz.	2.10	Papermate Refill	.75	Comb, Natural Pick	1.00
Candy Bars, lg.	.85	Cigarettes, Carton	5.50	Pen, Lindy, Ballpoint	.25	Combout	1.25
Cheese, Sliced	1.20	Dutch Masters Panatellas	.85	Pen, Papermate, Ballpoint	.75	Dixie Peach, lg.	1.15
Cheese, Loaf, 2 lb.	3.85	Garcia y Vega Cigars, 5-box	.35	Pencil, Lead	.10	End Paper	.90
Cheetos	.85	House of Windsor	.20	Pencil, Mech	.75	Hair Brush	1.40
Chile Con Carne	.60	King Edward Imperials	.45	Plastic Containers, 4/set	2.20	Hair Food	1.65
Chile Peppers	.95	King Edward Specials	.30	Pocketbook & Magazines 75 to	3.90	Hair Glo	.95
Chile Sauce	.75	Lighter, Butane	.70	Postcards, SQ (5-pict)	.90	Hair Oil Hqz	.65
Chunky Beef Soup	.70	London Dock	.55	Postcards, Standard	.10	Magnetic Hair Rolls, med. & lg.	.90
Cookies	1.10	Mixture 79	.55	Room Freshener	.80	Mustache Wax	1.05
Crackers, Graham	.90	Papers, B&W	.15	Scripto Lead	.45	Proline Combout	1.30
Crackers, Ritz	1.10	Papers, Yorkshire Long	1.05	Shoe Polish, Blk. & Brn.	.40	Proline Cond.	1.10
Crackers, Saltine	.80	Pipe Cleaners	.30	Shower Slippers, sm., lg., x-lg.	.80	Proline Cond., Gel	3.35
Cupcakes & Fried Pies	.40	Pipe Filters	.15	Spoons, Plastic	2 for .05	Protein 29	1.15
Dill Pickles	1.15	Pipes, Doctor Grabow	2.55	Stamps	.15	Roller Pins	.35
Donuts, Assorted	1.20	Pipes, Kaywoodie	6.50	Sun Glasses	2.40	Ultra Sheen Kit	6.35
Dry Cereal	.20	Prince Albert	.40	Sun Glasses, Clip-on	2.50	Vitalis, Super Hold	2.30
Fritos	.70	Prince Albert, lg.	3.85	Tablet, Colored	.95	Wave Rods	1.20
Funyuns	.70	Red Dot	.60	Tablet, yellow, ruled	.75	SOAPS & SHAMPOO	
Honey Butter	.90	Roll-ese Reg. & Menthol	1.20	Tablet, white, ruled	.60	Shampoo, Chenti Panthenol	1.65
Honey Natural	1.05	Rolling Kit, Bugler	1.95	Toenail Clippers	.90	Shampoo, Head-n-Shoulders	.80
Hot Sauce, Louisiana	.40	Snuff, Copenhagen	.60	Tumblers	.70	Shampoo, Prell	.85
Ice Cream Novelties	.15	Top, 7 oz. tin	1.95	Tweezers	.55	Shampoo, Pro-Line	.90
Ice Cream, Pint	.55	Top, Kite	.30	Watchband, Exp.	1.80	Shampoo, Sebuctone Tar	2.35
Jalapenos Peppers	.50	Velvet, lg.	3.90	Watchband, Nylon	1.35	Shampoo, Subtlex, Med.	1.90
Jam	1.25	Velvet, sm.	.50	Watch, Pocket, Westclox	9.45	Shampoo, Sulphur 8	1.80
Marshmallows	.50	White Owl Panatellas	.75	Watch, Wrist, Timex	17.90	Shampoo, Woodbury, 16 oz.	.75
Mayonnaise, Miracle Whip	.55	SUNDRIES		TOILET ARTICLES		Soap, Cocoa Butter	.80
Menuado Stew, 7 1/2 oz. can	.40	Aerogrammes	.22	Afta Shave	1.10	Soap, Dial	.50
Mustard	.40	Alarm Clock	7.30	Brush, Shaving	3.80	Soap, Irish Spring	.40
Onion Rings	.70	Album, Photo	2.45	Brut 33 Cologne	1.55	Soap, Palmolive	.35
Peanuts, Spanish, Salted	.45	Album, Refills	.55	Brut 33 Deodorant Stick	1.15	Soap, Sestid	1.45
Peanut Butter	1.40	Art Corners	.45	Copper Tone Tan Lotion	1.30	DENTAL SUPPLIES	
Peacan Pies	.40	Bags, Zipper, Canvas	6.00	Cocoa Butter	.85	Binaca Breath Drops	1.15
Pico Pica Sauce	.45	Batteries, AA (4)	.45	Chenti Panthenol Lotion	4.25	Cepacol Mouthwash	1.75
Popcorn	.15	Batteries, C-size, D-size	.40	Colgate Shaving Soap, cup.	.30	Dental Floss	.65
Potato Chips, Bar-B-Que & Plain	.70	Batteries, 9-volt	.60	Colgate Rapid Shave	.90	Denture Brush	1.20
Pretzels	.70	Binder, 3-ring, 8 1/2 x 11	3.70	Intensive Care Baby Oil	1.20	Efferdent Cleaner	1.80
Rolls, Assorted	1.30	Binder paper, 3-hole	.80	Jergens Direct Aid Lotion	1.15	Polident Cleanser	1.65
Salami	1.05	Can Openers	.40	Magic Shave	.65	Poligrip Adhesive	.75
Sardines	.75	Christmas Cards, Box	1.69 to 3.29	Mennen Cream, Brushless	.65	Toothbrush	.30
Soup, Cup of	.15	Cards, Greetings	.25, .35 & .50	Mennen Cream, Lather	.65	Toothpaste, Colgate 7 oz.	1.00
Sugar Cubes, 1 lb.	.80	Cards, Greetings	.15 to 2.50	Mennen Skin Bracer	1.10	Toothpaste, Pepsodent, sm.	.25
Top Ramen Soup	.35	Decanter, Plastic	1.80	Mennen Deod. Stick, 1 1/4 oz.	1.00	Toothpaste, Topol, 3 oz.	3.25
Tortillas, Floured	.90	Dissolution, Regulatory	3.00	Noxema Cream, Brushless	1.05	Toothpicks	.45
Tuna Fish	1.15	Divorce, Summary	5.00	Noxema Skin Cream	1.30	Toothpowder, Colgate	.90
BEVERAGES		Envelopes, Blank	.02	Pond's Milk Skin Care	1.20	DRUGS	
Breakfast Drink	1.30	Envelopes, color 24	.55	Powder, Casmere Bouquet	.70	Alacer Multi-Vitamin, 7 oz.	10.10
Cocoa Mix, 1 1/4 lb. bag	2.35	Envelopes, Expanding	1.50	Powder, Mennen, Bath	1.15	Alka Seltzer, Pkg. of 2	.10
Coffee, Hills Brothers, 2 oz.	1.05	Envelopes, Plain, Manila	.10	Powder, Mennen, Face	.60	Clearasil	2.20
Coffee, MJB, 10 oz.	3.75	Envelopes, Stamped	.17	Razor, Double II	1.25	Cough Drops	.30
Coffee, Tasters's Choice	5.05	Fingernail Clippers	.40	Styptic Pencil	.30	Hoffman's Energol, 8 oz.	4.80
Dairy Creamer, Maxwell	.80	Ink, Refills, Shaeffer	.15	Soap Dish	.50	Hoffman's Hi-Pro Pwd., 1 lb.	3.45
Egg Nog, qt.	1.05	Handkerchiefs	.70	Washcloth, White	.40	Quinsana Footpowder	1.45
Kool-Aid, 2 qts.	.65	Padlock, Combination	2.90	HAIR ACC. & CONDITIONERS		Tums	.30
Lemonade, qt.	.30	Paper, Blue Bond 16 lb.	3.80	Alberto VO-5	1.80	Vicks Vapo-Rub	1.35
Milk, Chocolate, qt.	.65			Breck Cream Rinse	.90	Visine Eye Drops	1.70
Milk, Fresh, qt.	.65						
Milk, Powdered	1.30						
Ovaltine	1.65						
Soda Pop, Canned	.30						

The main canteen will accept whole \$1 ducats during the first week in months that have two dead weeks.

—W. Riebling, Canteen Manager II



Weekends and Holidays

## SQ Visiting Facilities Inadequate To Meet Needs

It was a clear and sunny Valentine's Day two Saturdays ago as San Quentin began recovering from another general lockdown. With east block yet slammed and movement from south and west blocks restricted by controlled feeding schedules, still, it was a special day for some prisoners here.

By James F. Price

At 10 a.m., San Quentin's visiting room was a place removed from the rest of the prison and its troubles. Only a comfortable number of visitors had arrived by then and the scattering of vacant tables allowed more space to relax and some extra privacy to talk.

As prisoners joined sweethearts and family, sunshine beamed in through the windows in a fresh display of coming springtime and hearts warmed up to the occasion.

For these folks it was a peaceful time — time that is so essential to keeping marriages and families together.

Soon, however, the scene would begin to change. More and more people would arrive until all the tables would be occupied and all privacy would be lost. And visitors would bring complaints of the waiting lines, hassles and confusion — the typical weekend visiting situation here.

"It's not so bad though the weekdays," said C. D. Davenport, visiting room sergeant, "but on weekends and holidays the visiting facilities here are no longer adequate to meet needs of the population."

About three times as many visitors are processed on a weekend day as on a weekday. Not only does this slow down the processing and crowd the visiting room — taxing the nerves of visitors and staff alike — but visitors must often wait inordinate amounts of time for prisoners to arrive.

Donna and Debbie, who

asked that their last names not be mentioned, told the News that they waited two hours to process in and then had been waiting another two hours for their brother to arrive. When he finally got there, he told us he had been in his cell — east block, yardside — waiting to be let out.

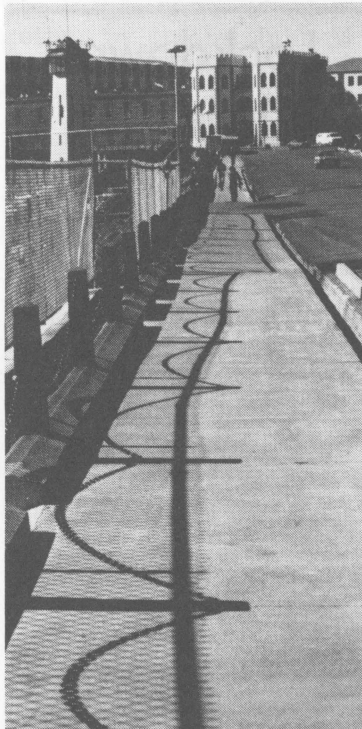
On a recent holiday, an even more frustrating situation occurred with a Fresno family who came to visit two brothers. Although institutional policy allows all-day visits to those who have traveled over 200 miles, for this family it turned out to be an all-day wait.

Having arrived in the bay area the evening before, the family spent the night locally, had an early breakfast and came to the prison around 7 a.m. At 2:20 that afternoon they were finally able to see but one of the brothers — for a 10-minute visit.

## Tougher Security Urged At All Parole Hearings

SACRAMENTO (AP) — A state prison official said Tuesday that inmate parole hearings have "a history of violence" and called for tighter security at the sessions, which are held at prisons throughout California.

Robert Loriano told the Board of Prison Terms that officials risk "an attack by an individual inmate . . . or being taken hostage" at the hearings



VISITORS WALKWAY to the prison

The problem here was that both men were housed in D Section, explained Sgt. Davenport. After a length of time to process these visitors, it was then the responsibility of D

Continued on page 4

and called for tougher searches of inmates, more guards, buzzer alarms and stricter supervision of prisoners' movements in and out of the hearings.

Loriano's safety report was compiled at the board's behest.

The board decides on paroles and release dates for inmates sentenced to life terms, and generally holds its hearings at the institution where the prisoner is incarcerated. Conditions and the physical layouts of the hearing chambers vary, Loriano said.

The board members formally accepted Loriano's report, and said they would add their own recommendations before putting the plan into practice.

Loriano, a member of the board's staff, suggested the parole hearings be conducted at L-shaped tables in single-entrance rooms, with the table across the chamber from the doorway. He also urged limited access to the seats, to provide maximum protection for the hearing officers.

In maximum security prisons, Loriano recommended that inmates be skin-searched and scanned with metal detectors, and that two officers be assigned to the hearing, with two more for backup.

"Pat" searches are not infallible," Loriano said. "And with skin searches, it's the same thing." Even metal detection scans have been ineffective in some cases, because inmates "are using plastic material for weapons." Plastic knives, for example, can take "a beautiful edge."

### Editor Fired, Paper Burned

## Authorities Close Vacavalley Star

Authorities at the California Medical Center have shut down the institution's newspaper, fired its editor and burned all but a few issues of the November-December issue of the "Vacavalley Star."

Prison officials, apparently incensed by three articles written by the assistant editor Robert E. Collins, and by a letter to the editor, ordered Victor Diaz, the Star's editor, to remove those pieces from the issue, Diaz printed the issue without the objectionable articles, but printed the word "Censored" across the page upon which the articles and letter were to have appeared.

Without warning, prison authorities fired Diaz, locked up the newspaper office, and burned all but a few issues of the paper.

Collins recently won the American Penal Press Award for an article he had written for the "Folsom Observer." Ironically, that article had also been censored by prison officials at Folsom. Under Diaz's editorship, the Star itself was recently voted the third-best mimeographed prison paper in the nation in competition sponsored by the University of Southern Illinois.

## Birdshot Ends MCU Fistfight

Seven shots were fired into the Max B exercise yard at 8:07 a.m. on Feb. 23 to break up a fistfight between two MCU convicts.

Reports state that three gunrail officers fired three warning shots when the fight broke out. The fight continued until four rounds of birdshot were skipshot into the two prisoners.

Both prisoners were treated and released from Neumiller Hospital.

### POPULATION COUNT 2,927

Friday, February 27

### C Section Fire Burns Con, Cell

Officers in C Section were given an opportunity to test the recently installed firehoses Sunday night when an SHU prisoner tried to burn his cell.

Reports state that a fifth-tier inmate ignited his cell and apparently sparked a larger fire than he anticipated. The inmate suffered third-degree burns on 30 percent of his body and was taken to a local burn center for treatment.

### —WEEKEND MOVIE—

## "Star Trek"

The starship Enterprise is taken out of drydock to intercept an Earth-bound attacker destroying everything in its path. State-of-the-art special effects. Stars William Shatner, Leonard Nimoy, Michelle Nichols, and other regulars from the TV series. Exotic Persis Khambatta is a welcome addition. Rated G.

### Birdshot Not Sufficient?

## North Block Fracas Ended by 14 Shots

An incident reportedly involving two different factions of the MCU's black population erupted at noon time Feb. 24 in the north block's exercise yard.

According to Mike Madding, prison information officer, approximately 20 black prisoners began fighting, leaving one prisoner injured with a superficial cut on the back of his head. This, according to the reports, is considered to be a stab wound.

Four warning shots were fired to quell the disturbance. The fighting reportedly did not stop, so nine more shots were fired into the crowd. Twelve prisoners were hit with birdshot. Three of the wounds sustained by the gunfire are considered to be minor. Five prisoners were shot in the facial area.

One knife was found on the yard by officers investigating the incident.

The following is a memorandum issued by Warden Sumner regarding the situation at present:

"At lunch time there was an incident in the outside exercise

yard involving approximately 20 black inmates with one inmate lying on the ground from stab wounds.

"There was a confrontation between two different factions on the MCU yard. One weapon was found. There was one individual stabbed. Seven inmates were shot with birdshot. Thirteen rounds were fired, of which four were warning shots. Of the seven inmates hit with birdshot, five were struck in the face.

"These inmates did not stop fighting each other until the last shot was fired. Two inmates were retained in the hospital and none with permanent injuries.

"I am concerned with two areas. Why these inmates continued to fight while being struck with birdshot, and if the No. 7½ birdshot is sufficient enough to deter inmates stabbing other inmates. Also, I am concerned why these inmates were struck in the face.

"A thorough investigation will be conducted; and when I have the answers, I will share them with the inmate population."

### 25-Year Minimum

## New Guidelines for Lifers

As reported in a previous issue of the News, the Board of Prison Terms has outlined the criteria which will be followed in determining the parole dates of lifers convicted of crimes committed after Nov. 7, 1978.

Under the new guidelines the minimum wait for parole for first-degree murder ranges from 25-33 years, depending on the determined severity of the crime. The minimum time for second-degree murder will range from 15-21 years. Prisoners serving sentences for first- or second-degree murder will make an appearance before the parole authorities prior to this time, but the minimum time they will serve has been determined in the above guidelines set by the board are to be followed in determining aggravating and mitigating circumstances, the amount of time an inmate must serve prior to release date and the amount of good-time credit a prisoner can earn after being found suitable for parole.

Prior to the enactment of Proposition 7, the minimum sentence for those sentenced to life terms was from 8-22 years. The new rules apply for crimes committed after Nov. 7, 1978.





By Joe Morse

Have ya seen all the anti-crime news in the paper lately? I tell ya, man, it's enough to make ya think about taking up a new profession.

Try as I may, I find no humor to interject into the subject, but I did come up with an idea or two for a book. The problem is I can't decide whether to call it "The Politics of Crime" or "The Crime of Politics."

It appears that society is demanding a solution to the crime problem. The legislators have taken advantage of the times and are proposing bill after bill — all of which deal with the symptom and leave the cause unexamined. They, in effect, are offering no solution to the crime problem. Longer sentences do not affect the crime rate. California already has the third-longest prison terms in the world.

The tragedy of this situation is that the legislators cannot offer solutions to the problem. Solutions would involve a long-range changing of priorities, objectives and values. What legislator wants to propose something that will benefit society at some future date? Damn few, if that future date is beyond the time of their reelection. As a result, we are all stuck with another ineffective attempt at solving a problem that is based largely on the economy of the country.

Self-preservation is the first and strongest rule of nature. If a man is hungry enough he will feed himself. If we are programmed to believe we must have certain material objects in order to be someone, we will try to get them.

All the bitching in the world will not change the current trend. Crime is going to continue, and apparently the prison sentences are going to grow longer and longer. This is our reality.

I see no changes in the near future, but I do hope that society eventually realizes what the legislature is doing to them. Perhaps I should say what they are doing to the children of today's society. They are the ones who will be faced with the prisoners who have spent the longer sentences in institutions that have already been deemed "unfit for human habitation." (See the 1979 report of the Executive Committee of the California State Bar Association.)

An interesting quandry, huh? If we, the convicted felons, are expected to serve longer terms in institutions that are, in fact, dehumanizing, what type of people will be coming back out into society? Keep those tax dollars rolling in, folks.

\* \* \*

It looks as though the paper at CMF has felt the effects of censorship. The Man censored a few articles, and then apparently didn't want anyone to know that such authority is often exercised.

I've been asked on occasion to comment on censorship, but this will be one of the few times I will speak out and explain my views. I have little concern over the issue because I saw what was going to happen when the officials switched the funding for our paper from the Inmate Welfare Fund to state-funded. It became their paper, plain and simple.

There are two hearings pending in the appellate courts regarding censorship of the paper. The attorney general is arguing that the state owns the paper and they will determine its content. Is there any way to misinterpret that position?

My disagreement with the state's position is that it gives them the power to project, through its newspapers, that everything is going smoothly inside their institutions. Look at the messhall incident. The warden felt the critical article about the messhall should not have been printed. The News suggested the messhall was dirty. The warden responded by firing the News staff. A few months later SQ lost its ACA accreditation, in part, for having a dirty kitchen.

Nineteen years of experience here have led me to believe it's often — if not always — best to allow convicts an opportunity to vent their frustrations and air their grievances. I see an occasional critical article or editorial as being healthy for the institution. Apparently the people in charge see it differently.

So, there it is. Censorship is a reality. If the courts rule that the papers should not be censored, it is my opinion that there will be no papers. End of discussion.

## Stabbing Slams Alpine Section

Residents of A Section were locked down Feb. 24 at 6:30 p.m. because of a stabbing incident in which one Mexican-American prisoner received four superficial stab wounds.

Two knives were found in the unit, but no suspects have been identified at this time. The matter is considered to be a personal dispute.

Following the initial investigation, all but the Mexican-American residents of that section were unlocked.

## Lockdown Ordered

As a result of constant information received by staff that an unknown group of inmates were going to attempt to kill some of SQ's employees, the east block housing unit (housing 787 inmates) has been placed on total lockdown status, according to a press release issued by prison officials.

A plot to kill an employee in the east block was uncovered 10 days ago. That assault did not occur because of an internal problem among the planned assailants.

On Tuesday an incident occurred in the Management Control Unit exercise yard where one inmate was stabbed, and 16 to 20 inmates were fighting. That incident was halted by firing 14 rounds of birdshot.

Information has been received that a group of inmates preceived the use of birdshot as unfair and indiscriminate and are using that perception to justify murdering employees.

Attempts to defuse the situation have been unsuccessful, therefore the lockdown was placed in effect as a precautionary move to assure the safety of staff and inmates.

The length of the lockdown is unknown at this time, and will greatly depend on our continued investigation, and the cooling of tempers within the population.

There are significant numbers of inmates recently transferred to San Quentin who have strong ties with the MCU inmates in the incident who were shot. It might take some time to sort out these individuals and for the more stable rational San Quentin inmates to prevail.

Send Home the SQ News  
For \$1.00 Per Year

Subscription forms are available at the front counter in the education department. These forms are to be filled out in duplicate and then submitted to the accounting department.

## A Notice to Subscribers

The circulation manager of the News has received numerous inquiries as to the amount of time it takes before a subscription begins once the forms have been filled out by the prisoner.

According to the accounting department, it takes from four to six weeks before a subscription to the News begins leaving the institution. To interject a note of encouragement, the News wishes to state that it is well worth the wait. Where else can one find such awe-inspiring reading material for such a paltry sum?

## Law Column

### People vs. Gomez, 113 Cal. App. 3d 795

#### Summary

Defendant was convicted of assault with intent to commit murder. The jury made special findings that during the commission of the offense defendant used a firearm (Pen. Code, § 12022.5) and intentionally inflicted great bodily injury upon the victim (Pen. Code, § 12022.7). In accordance with the provisions of Pen. Code, § 1170.1, subd. (d), enhancement of sentence was imposed for only one of those findings, and the firearm use allegation was stricken for purposes of sentence enhancement. However, the trial court considered defendant's use of a firearm as an aggravating circumstance in sentencing defendant to the upper base term of imprisonment. The trial court also considered as an aggravating circumstance the fact that defendant, during the trial, secured testimony that was "directly contrary to the truth both as this Court perceived it and as the jury found. . . ." (Superior Court of Sutter County, No. 25274, Terrence J. Keeley, Judge.)

The Court of Appeal affirmed but remanded the case for resentencing. The court held that the trial court violated due process when it considered defendant's uncharged and unconvicted perjury as an aggravating circumstance, and remanded the case for resentencing since it was unable to determine the significance placed by the trial court upon that constitutionally impermissible sentencing factor. The court held that the trial court properly considered defendant's use of a firearm as an aggravating circumstance even though the allegation as to such use and the jury's special finding pursuant to Pen. Code, § 12022.5, had been stricken for purposes of sentence enhancement. (Opinion by Carr, J., with Evans, Acting P. J., and Blease, J., concurring.)

### People vs. Quesada, 113 Cal App. 3d 533

#### Summary

A jury convicted defendant of involuntary manslaughter and found that he had used a firearm in the commission of the crime arising out of his killing of a man who had allegedly burglarized his apartment two days previously. Defendant contended that the killing was justified under Pen. Code, § 197, subd. (4), providing that homicide is justifiable when necessarily committed in attempting to apprehend a person for committing a felony. The trial judge refused defendant's request that the jury be instructed that homicide is justifiable "when necessarily committed in attempting, by lawful ways and means, to apprehend any person who has committed burglary of the first degree." (Superior Court of Contra Costa County, No. 22866, Sam W. Hall, Judge.)

The Court of Appeal affirmed. The court held that the trial judge correctly refused the requested instruction because the defense of justification would only apply if the burglary presented a threat of death or serious bodily harm and the same condition applied in the case of an arrest of a person for commission of a felony. It held that the burglary allegedly committed by the victim did not constitute a dangerous felony permitting the use of deadly force, since defendant had been absent from his apartment at the time of the burglary and the premises were unoccupied. The court also held that the finding by the jury that defendant had used a firearm in the commission of the crime was proper and may be committed without the use of a firearm. (Opinion by Grodin, J., With Elkington, Acting P. J., and Newsom, J., Concurring.)

### People vs. Chavez, 113 Cal. App. 3d 541

#### Summary

After the trial court denied defendant's motion to suppress evidence of marijuana and other contraband seized from defendant's backyard and house, defendant pleaded guilty to cultivation of marijuana, possession of LSD and possession of a destructive device. Police officers had been called to a motel, from the second-story balcony of which they were able to observe marijuana plants growing in the fenced backyard of defendant's house adjacent to the motel. They entered the backyard, dug up the plants and took them away in a truck. When defendant returned home, he was asked to consent to a search of his house but refused. A police officer secured a warrant based upon his observations while in the backyard and searched the house, seizing more marijuana, LSD and tracer ammunition. (Superior Court of Santa Clara County, No. 72287, David W. Leahy, Judge.)

The Court of Appeal reversed the conviction and suppressed the evidence. The court held that defendant's Fourth Amendment right to privacy had been violated by the seizure without a warrant of the marijuana plants in the backyard. It held that, since the yard had been surrounded by a six-foot-high, locked fence covered with ivy growing to an additional height of three feet, defendant could not be held to have surrendered his expectation of privacy. The court also held that, since the warrant had been based solely upon an affidavit reciting the police officer's observations while inside the protected area of the yard, it was tainted by the original, illegal search of the yard and the contraband discovered in the house was also illegally seized. (Opinion by Rouse, J., with Taylor, P. J., and Miller, J., concurring.)



## Pending Legislation

The following are summaries of Assembly bills introduced since the beginning of the 1981-82 regular California legislative session:

**AB 8 (Ivers)**—A bill that would create a "habitual offender" for enumerated offenses and previous history and specify minimum imprisonment, parole eligibility and good-time credits for persons so designated.

**AB 18 (Bosco)**—This would prohibit probation for specified offenses, for the commission of any offense during which great bodily injury was inflicted, against any occupant of a public transit vehicle.

**AB 28 (Moorhead)**—Revises provisions relating to reducing the term of imprisonment for participating in prison programs.

**AB 53 (Filante)**—Adds robbery in which a deadly or dangerous weapon is personally used to the list of violent felonies listed in Penal Code section 667.5.

**AB 56 (Johnson)**—Requires notice and consultation with the victim by the district attorney in connection with sentence or plea bargaining, and it will specify that the victim shall have the right to appear and testify — or submit a letter — to the court concerning such a plea bargain.

**AB 63 (Moorhead)** — Designates specified third or subsequent offense offenders who inflict, or use force likely to produce, great bodily injury as habitual offenders who will be punished by life and will not be eligible for parole for 15 years.

**AB 64 (Lockyer)** — This provides for the additional imposition of one-third the term imposed for conviction of a criminal offense when the defendant was motivated in committing the offense in whole or in part by malice based on any of the specified discriminatory factors.

**AB 269 (Lehman)**—Increases the additional term from two years to four years for the use of a firearm in the commission of a felony.

## KGO Films PEP Program

A KGO television crew recently came to San Quentin to film a feature story on the Personal Expansion Program (PEP) here.

Having now worked with more than 350 prisoners here, the PEP program seems to have established itself as a successful and positive treatment program offering supportive group and individual counseling to cons.

To learn more about the PEP program and how it might meet your interests watch Channel 7's Bayscene Saturday night, Feb. 28, at 7 p.m.

### San Quentin News

USPS 480-700

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The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

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G. W. Sumner . . . . . Warden  
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Second Class Postage Paid at San Quentin, CA 94964.

**AB 66 (Lockyer)**—Provides that no person convicted of first-degree murder be committed to the California Youth Authority.

**AB 87 (McAlister)**—A bill that provides that every person convicted of one of a group of specified felonies who has been previously twice or three times convicted of any such felonies for which a prison term or mentally disordered sex offender commitment was served shall be adjudged a habitual criminal and be imprisoned for life. Parole eligibility will range from 15-20 years.

**AB 240 (Sterling)**—This bill appears to be basically the same as AB 87. The one difference is that parole eligibility will be 20 years.

**AB 246 (Goggin)**—Enacts the Criminal Justice Emergency Powers and Funding Act of 1981, which authorizes the issuance of bonds in the amount of \$650 million (of which \$150 million would be spent for prison construction and operation, and \$500 million would be allocated for grants to assist state and local law enforcement agencies at the rate of \$50 million for ten years).

**AB 264 (Bergeson)**—Provides for indemnification of and assistance to persons who are victims of sexual assault.

**ACA 9 (Statham)**—Adds to the State Constitution a provision that no person shall have standing to raise the issue of unreasonable search and seizure unless he or she was the victim of the search in which his or her privacy was invaded.

### Politicians

*A politician thinks of the next election; the statesman, the next generation.*

— J. F. Clarke

## Educational Counseling

For those interested in attending school on the streets, academic and vocational counseling is available in the Community Resource Information Center (CRIC) on Wednesdays.

Suzanna Hart-Broughton, from the College of Marin, can be seen by appointment and sometimes on a drop-in basis. Contact Jim Wiles in CRIC in the library.

## Project One-Way Now Has Openings

Project One-Way, under the directorship of ex-convict Wayne Rowe, is a self-help program that offers alternatives to assist convicts in the transformation from prison life back into society.

A \$15 bonus will be paid to each convict upon completion of the course. The next class will be held the week of March 9. To sign up, contact Leo Gilbert in the Jewish Chapel at ext. 366.

## Openings in A. M. Ceramic Classes

There are currently openings in the ceramics classes taught by Gail Caulfield from 9-11 a.m.

The days of attendance must be worked out between each prisoner's work supervisors and the handicrafts manager so that the class will not interfere with work assignments.

Any one interested in participating should contact Lois Wu, handicraft manager, at ext. 397 or via mail.

## 'I-Love-My-Family Day'

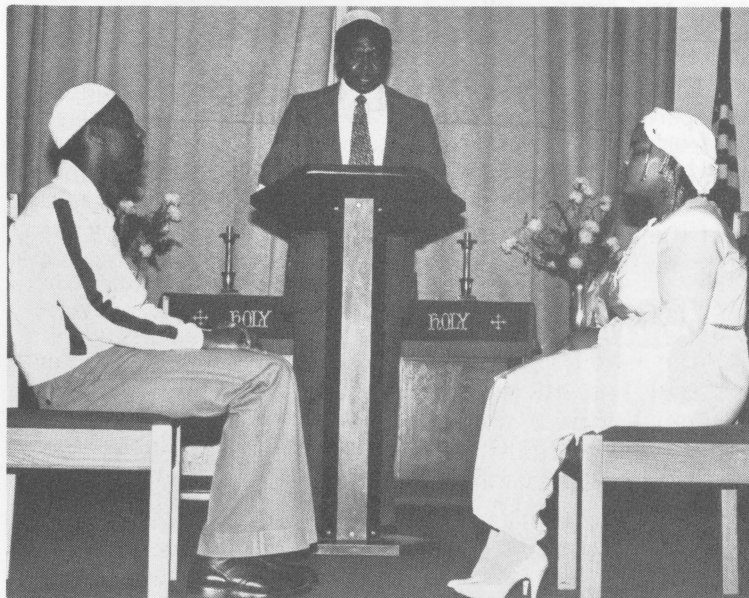
# American Muslim Mission Hosts Feb. 21 Gathering

By B. Washington

The American Muslim Mission hosted an "I-Love-My-Family Day" celebration in the visiting room here Feb. 21.

The evening festivities started in the Garden Chapel and was highlighted by the wedding of Brother Haneef Bilal and Sister Terrie Poole. The couple were joined together by Imam, John M. Faqir in a traditional Islamic ceremony.

The Imam read verses from the Holy Qur'an and explained



IMAM JOHN M. FAQIR saying the vows three times. The white headgarb represents purity of the soul.

that, "Two people can make either a paradise or a hell for themselves." The Imam then went on to say, "The union of husband and wife is even closer than that of parent and child." He explained to the couple that they are the halves of each other and it takes two together to make a whole.

The wedding vows themselves were spoken three times. The purpose for this was so that the importance of the evening would be forever engraved in the memory of the couple.

### Prerelease Orientation Seminar for Inmates

A prerelease orientation seminar for inmates being released during the months of March, April, May, June and July of 1981 will be held in the Jewish Chapel March 4 at 1 p.m. This is an open seminar to all persons in the general population whose release dates fall in the above time perimeter.

Representatives for the following groups will be present to inform individuals of the resources which are available at San Quentin and in the community: M-2 Sponsor (Man to Man), Scope (Special Committee on Parole Employment), Project One-Way, Personal Expansion Program (drug abuse), Volunteers of America (work furloughs), Community Resource Information Center, San Francisco Parole Agent Al Savedra.

Henceforth these seminars will be held routinely four months prior to an individual's release date. For example: August parole dates will be seen in April; September dates in May.

Commencing in April, men with August parole dates will be educated and attendance is voluntary. These seminars are open for general population only and will be held on the first Tuesday of each month at 1 p.m.

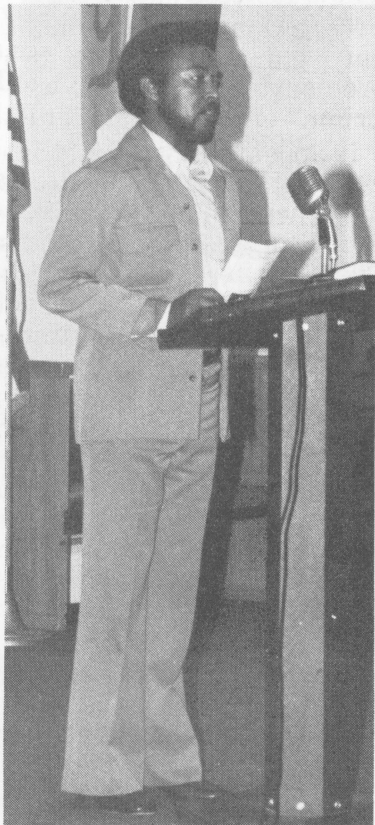
Following Islamic tradition, there was no kissing by the couple at the end of the ceremony.

Besides the wedding ceremony there were outside guest speakers who spoke on the love of family. One guest speaker, Bashir Salaam, spoke of the importance of the family unit. He explained that there is, "One God, one creation, one basic human nature, and no superiority."

From the Garden Chapel the celebration moved to the vis-



HANEEF BILAL and bride, Terrie Poole.



BASHIR SALAAM: "There is nothing more important than the family unit."



THE AMERICAN MUSLIM MISSION and guests enjoying the evening.

## Immediate Openings

### Vocational

# Computerized Typesetting

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# Visiting Facility . . .

Continued from page 1

Section staff to escort the brothers to the visiting room due to its being a lockup unit. Apparently they were short of officers.

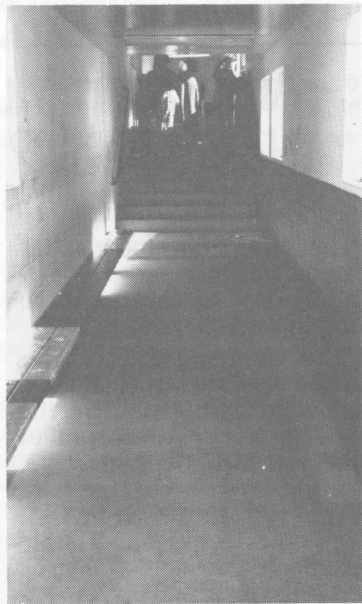
Lt. Scott Rawers, relief visiting lieutenant, admitted that instances like this can and do occur — through human error, staffing shortages and problems with the diversity of custody classifications and housing unit criteria.

Rawers calculates that 87,240 visitors were processed here last year. Proportionate

even children had to remove their shoes and females were unable to pass through while wearing bras with metal fasteners. Due to this detector's high sensitivity, visitors claimed that the line here was often held up while officers pat searched those who rang the alarm.

Officer McKinney, who usually works this position, denied these claims. She did explain to the News, however, that this outside metal detector is affected by the elements of temperature and wind. She also said that metal buttons, shoes with steel shanks, fillings in teeth — as well as pregnant women and some people who take vitamins — would set off the detector.

It should be noted here that this reporter — having no more metal on my person than the metal buttons, shoe eyelets and pants zipper on the state-issued



INSIDE THE TUBE — visitors waiting area.

they are open for suggestions.

Some of the suggestions made to the News — from staff as well as visitors — are as follows:

- Use hand-held metal detectors instead of pat searches.



VISITORS PROCESSING AREA at east gate

clothing I was wearing — was unable to pass through either metal detector successfully.

- Have a suggestion box for use of visitors.
- Continue the number system at the east gate.
- Keep experienced staff.
- Employ more staff for processing.
- Visitors should voluntarily terminate visits when visiting room is crowded.
- Call prisoner for visit as soon as visitor is cleared at the east gate.
- Enlarge the tube or build a new reception area.
- Institute an odd-even visiting day system.
- Run separate facilities for C and D Sections, maximum custodies, and condemned to lighten the load on present facilities.

Complicating the visiting situation here is a recent court decision allowing contact visits to maximum custody and condemned prisoners — with the present facilities being inadequate to meet this increased need.

"San Quentin just wasn't built with visiting in mind," said Lt. Rawers.

Lt. Rawers added that they were in the process of calibrating the metal-detecting machine, but agreed that its exposure to the weather was a problem.

Visitors feel that the metal detectors need not be set so sensitive and they especially resent being asked to submit to a pat search.

"I don't mind walking through a metal detector," said Mary, a visitor who asked that her last name not be used, "but being personally searched is just demeaning — even moreso to my children who don't understand the reason for it."

Visiting program staff are in agreement with visitors that the program has many problems — and Lt. Rawers said

## A Look at the Visiting Process

Approaching San Quentin's east gate by car, the large visitors' parking area is accessible by a driveway to the left of the main gate and just preceding the visitors' processing building. On weekends the parking area is extended by opening up a fenced section normally used by employees during the week.

Visitors will then enter the back of the processing building into a long, narrow corridor commonly referred to as the "tube" — and probably called worse names by regular visitors. On weekends and holidays, the tube will be found hot, stuffy and packed with people.

With any accumulation of visitors, the staff will hand out numbers and collect identification cards to begin processing. Here the visitor will be given a "ducat" to fill out which will later serve to call the prisoner being visited. First-time visitors will also be required to fill out a personal information form and have a photo taken.

Processing begins inside a door at midpoint in the tube. At a long counter, staff will pull the prisoner's visiting card, clear approved visitors and mark on the ducat the number of visitors in the party. Each visitor in turn will be asked to declare all personal property to be taken into the prison and must remove all metal — such as jewelry, coins, watches — in order to pass through a metal detector.

Once cleared to visit, the ducat is returned to the visitor who will then proceed from the building up a long walkway to a second metal detector at what is called the inspectoscope gate. This detector is reportedly more sensitive than the first. Should the visitor fail to pass either of the metal detectors, he or she will be asked to submit to a pat-search. If the

room, known as the OK Corral, is sectioned off for use as a children's play area and features a color television.

### Tips for Visitors

- Bring positive identification with photo such as driver license, state ID, military ID, passport.
- First-time visitors who are not immediate family members should bring a letter from the prisoner including envelope and postmark.
- Visitors under 18 must be accompanied by a responsible adult. If this adult is not the parent or legal guardian, the minor must bring written and notarized approval from such.
- Wear as little metal as possible. Especially avoid clothing with metal buttons, fasteners, etc.
- Don't wear blue denims or any thing resembling prisoners' clothing.
- Valuables should be left home, locked in car or in lockers at entrance to visitors' parking.
- No gum, candy, cigarettes, lighters or matches may be brought in. Also no wallets or purses — excepting small, clear plastic purses.
- Money, car keys, ID, and emergency medication are permitted. Also, money orders or cashiers checks up to \$50 for prisoners may be left with the Max B desk officer inside the visiting room.
- Visitors are not permitted to bring in anything to give to a prisoner.
- A maximum of four people may visit a prisoner at one time.
- If at all possible, visit on weekdays rather than weekends.

### Tips for Prisoners

- Be sure to advise family and friends of any change in



KIDS ARE KIDS in the visiting room's OK Corral.

visitor refuses, permission to enter the prison will be denied.

From here the visitor will proceed on to the prison visiting room where the ducat will be collected and sent to the pass window for the prisoner to be called. While waiting, the visitor will find a number of vending machines available for soft drinks, coffee, food items, and cigarettes. A dollar-changing machine is also on hand.

A small area of the visiting

your visiting status.

- Ask your visitors to let you know in advance when they plan to visit.
- If expecting a visit, be where you can be reached.

### Visiting Hours

General population (contact visits:)

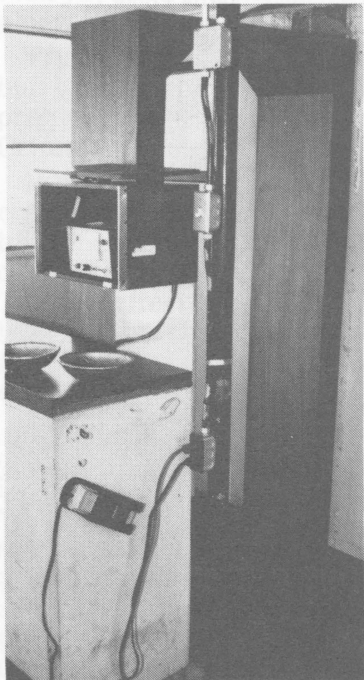
Wed. - Mon. . . . . 8:00 a.m. to 2:30 p.m.  
Sat., Sun., Hol. . . . . 7:30 a.m. to 2:00 p.m.  
Tues. (afternoon) . . . . . 1:00 p.m. to 3:00 p.m.  
Tues. (evening) . . . . . 4:30 p.m. to 7:45 p.m.

Restricted visits (phone visits, hospital, AC, north block, north seg, B, C, and D sections:)

Weekdays (except Tues.) . . . . . 8:00 to 1:30 p.m.  
Sat., Sun., Hol. . . . . 7:30 a.m. to 1:30 p.m.

Hospital visits are restricted to immediate family only and are limited to one-half hour in duration.

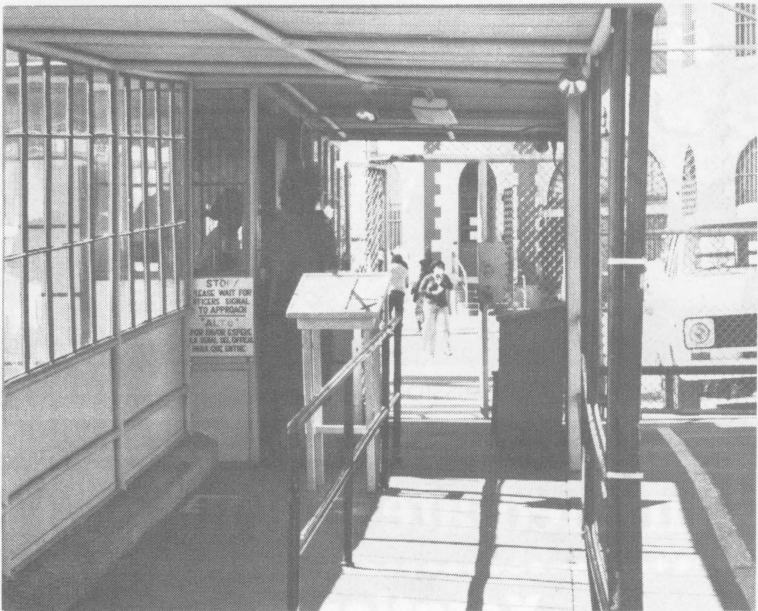
Hours given are those in which visitors will be processed in; actual visiting terminates from 15 to 45 minutes later.



INSPECTOSCOPE GATE metal detector

to the number of visiting ducats issued, perhaps 150 people per day on weekdays and more than 450 a day on weekends.

In interviews with the News, many visitors complained about the time it takes to process in on the weekends. Because of this, some of the visitors begin arriving at the prison as early as 4 a.m. to be among the first in line — and by the time the doors open, there



INSPECTOSCOPE GATE

is already a long line to be processed.

According to Lt. John Depue, visiting lieutenant, initial reception for regular visitors takes only about a minute, "But when you've got maybe 100 people backed up, that adds up to about an hour and 40 minutes," he noted.

Depue said that they are considering getting a computer installed to speed things up. While this may help speed the efficiency of the system, still, the real bottlenecks seem to be at the metal detectors — both of which are set much more sensitive than the ones used by prisoners inside the walls.

Virtually all the visitors interviewed complained especially of the metal detector at the Inspectoscope gate — to the point of claiming harassment. Examples were given that



SQ's VISITING ROOM — with little room to spare.



# Blacks Slammed; Jackets Screened

By B. Washington

San Quentin is undergoing a variety of changes being felt by the entire population, but more pointedly by the black population in general.

On Feb. 24, 14 shots were fired at 20 blacks allegedly fighting on the Max B yard. Twelve of the prisoners were hit with birdshot — five in the face. "Information" found its way back to staff that the blacks in the general population with ties to the blacks in the MCU who were shot were going to kill a staff member because they felt that an overuse of force was used to quell the disturbance on the yard. Acting on this "information" a lockdown of the east block was ordered and subsequently lifted with the exception of some of the black population.

Black prisoners' jackets are being screened to determine "tip/gang" affiliations, if any. Some of the blacks have been placed on redlock so that a close screening of their jackets can be made to determine if they are to move to a lock-up unit. Black prisoners who believe they are labeled incorrectly can seek relief through the *Wright vs. Enomoto* decision (SQ News 11-7-80). The ruling calls for written notice of the reasons for the retention within 48 hours, a fair hearing before one or more prison officials within 96 hours and rep-

resentation by counsel substitute if prison officials determine the need for one.

The court also ordered that prisoners being retained in administrative segregation be provided a reasonable opportunity to present the witnesses and documentary evidence. It also requires prison authorities to provide a written decision including references to the evidence relied upon and the reasons for the continued confinement.

The housing units are also going through changes; A Section is now administrative segregation and orientation. D Section is now Temporary MCU due to the *Wright vs. Enomoto* decision for double celling. West block is now honor/workers. Bayside east block will be for food service, hospital, industry, and medically unassigned on the lower tiers. Yard side east block fifth tier is now industry workers and the rest of the block will be for close custody.

Since the Feb. 24 incident on the MCU yard SQ has been in a constant state of confusion. If you were to ask 10 different people what's happening here you'd get 10 different answers and not necessarily the right one. As last week's question man column showed, a lack of communication can be just as dangerous as the overuse of force.

## Innocent Convict Freed in Oakland

By Ann Baneroff  
(S.F. Chronicle)

Aaron Lee Owens, who spent nine years in prison for two murders he did not commit, was freed in Oakland last week by the same judge who had sentenced him to life behind bars.

"If you were wrongly convicted, we can never repay your loss," said Alameda County Superior Court Judge Alan Lindsay. "But we can say, with some pride, that the same system which found you at fault can now set you free."

Owens was released after Alameda County Assistant District Attorney Don Whyte told the judge that his office prosecuted the wrong man.

Owens was convicted along with Glenn Bailey for what police said were the drug-related murders of Marie Collins and Stanley Bryant in Oakland on May 13, 1972.

Owens, who already had a criminal record, insisted all along that he was innocent of the murders. But it wasn't until Bailey admitted his part in the crimes, and told prison officials in early 1980 that Owens was not his partner, that prosecutors reopened their investi-

gation of the case.

Last Friday, Whyte told the judge that as a result of the investigation by former Deputy District Attorney John Taylor, "Our conclusion is that Aaron Lee Owens was innocent of the crimes he was convicted of in 1973."

Outside the courtroom, Owens, flanked by members of his family, some weeping and others holding back tears, told a crowd of reporters that during his years in Folsom and San Quentin prisons, "I've been stabbed, been in riots, fighting when I didn't know what I was fighting about."

"That would not have happened to me if it weren't for those people (attorneys) not doing their job."

But Owens said he was "very grateful" that his prosecutor, "a good man," reopened the case, but, "If only from the beginning he was just as enthusiastic about my innocence."

Owens said he is definitely going to take legal action to recover some of the loss he and his family suffered during his imprisonment.

Continued on page 3



AARON AND HIS MOTHER after he was freed in court.

# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 11

TAMAL, CALIFORNIA 94964

Friday, March 13, 1981

## Guards Replace Teachers

# CDC Cutbacks in Education Program

By Jimmy Price

A wave of strong opposition swept through San Quentin's education department following an announcement last week of institutional plans for massive cutbacks in the educational program here.

The announcement came from former Bayview School's Principal James Orrell March 12, where he informed teachers here that the cutbacks would go into effect in July for the 1981-82 fiscal year and that most of them would not have jobs here after June.

According to Mike Madding, public information officer, the present half-million dollar education budget would be reduced by about \$190 thousand — this money would instead be diverted to custody and security areas.

Madding said the cutbacks would affect the equivalent of six full-time teaching positions, though he said it was not known at this time exactly what positions would be affected.

At present, the full-time staff include Bayview Schools Principal Ken Barnes and nine full-time teachers. In addition, there are 39 part-time instructors now teaching here.

The announcement brought strong reactions from teachers and students here who are deeply concerned about the wisdom of such a move.

"I am very disappointed for our current and future students," said Stan Hershey, an academic instructor here. "I think education is an essential

tool in the development of an individual's identity, integrity and readiness for the future.

"I am disappointed for my colleagues. We have invested years of thought, time and labor in the design, development, implementation, and revision of appropriate educational models, materials and curricula specifically for students at San Quentin.

"I am disappointed in an administrative staff (CDC and SQ) that lacks the vision and the heart to provide for the basic and obvious needs of our inmate population.

"Nevertheless, we shall persevere. I suspect that the final resolution of this issue will require adjudication," Hershey concluded.

Other teachers also expressed their concerns for the prisoner population here at San Quentin.

"The men who have (a lot of) years to do," said Lee Leary, "can do it better with an academic education program intact. Education as a life-long process is the best alternative for an individual who has a lot of time on his hands."

Clara MacNamee, another academic instructor, told the News: "Education builds self-respect; without it, there is insecurity and self-destruction. The educational program here in San Quentin has been a positive force for the men.

Although Warden Sumner was quoted recently in the Independent Journal as saying, "The kind of guys we are get-

ting now don't want to go to school," the students here suggest otherwise.

"I feel that it is unfair to those that want to better themselves through education," said Michael Damon. (These cutbacks) will only aggravate the problems attendant with reentry into society. Personally, I've bettered myself through Bayview School at San Quentin."

Ronald Montoya, another student, told us, "It is both wasteful and a mistake. Many people here have a great potential for things other than criminal. (These people) need an academic education program as an outlet for energy and creativity that would otherwise be channeled into criminal projects."

Apparently these cutbacks are being made in favor of the trend to lock down more and more of the prison — with plans for two closed-circuit television channels to be used for educational and informational purposes here.

The value of educational television is barely minimal, say the teachers. One has only to visit the college classroom of Kay Ryan here to see why.

With less than two months into the current semester, the non-serious students have all dropped-out, while those remaining enjoy a high degree of valuable in-class interaction — human interaction and sharing so essential to the learning process.

"TV is better than nothing," said one of Ryan's students, "but it can hardly compare to this classroom setting."

## Mexican Consul Here March 19

Mr. Luis F. Orci, Mexican Consul General from San Francisco, will be at the Catholic chapel March 19 at 10 a.m.

Any Mexican national who wishes to see him may do so by signing up on the ducat list in the Catholic chapel

## Postage Increase Begins March 22

Effective March 22 the U.S. Postal Service will begin charging 18 cents per stamp for first-class letters. The cost of post cards will be increased to 12 cents.

For those who have 15¢ stamps on hand, the canteen here will have 3¢ stamps on sale to total 18¢.

## Lockdowns Should Not Interfere With Visiting

Warden Sumner issued the following memo to Associate Warden Weber March 2.

"It has been recently brought to my attention that our visiting program has been terminated during visiting hours based on incidents and subsequent lockdowns.

"If an area of the institution is locked down due to a suspected assault and an inmate in that area is called for a visit, he should be examined for marks. If the inmate doesn't have any scratches or abrasions and/or wounds, he should be released for his visit.

"Under no circumstances shall the visiting program be canceled or curtailed by anyone other than myself or the deputy warden."

—G. W. Sumner, Warden

—WEEKEND MOVIE—

## "Saint Jack"

Ben Gazzara plays the operator of a brothel in Singapore during the last years of the Viet Nam war. Rated R.

POPULATION  
COUNT  
2,986

Friday, March 13



# Other Killers Also Sought Execution

WASHINGTON (UP) — Condemned rapist-murderer Steven T. Judy is only the fourth to be executed since the U.S. Supreme Court lifted its ban on capital punishment in 1976.

Judy had one thing in common with two of his predecessors, Gary Mark Gilmore and Jesse Walter Bishop. He wanted to die.

Gilmore, 37, executed by a firing squad Jan. 17, 1977, at Point of the Mountain, Utah, had been the first death row inmate executed in the United States in a decade. Convicted of murdering a Provo, Utah, motel clerk, he refused to appeal the conviction and twice apparently attempted to commit suicide.

Bishop was the most recent

victed of the Bushnell murder. He constantly urged that his execution be held, telling the Utah Board of Pardons the following November, "Let's do it, you cowards."

After Bishop's appeal to the Nevada Supreme Court was denied — the appeal was mandatory under state law — Bishop refused all legal efforts to appeal through the federal courts or to ask the state pardons board for clemency.

Spenkelink was convicted in the 1973 murder of Joseph Szymankiewicz, a traveling companion, claiming the murder was committed in self-defense and that Szymankiewicz had robbed him twice.

There are 731 inmates on prison death rows across the country.

man to be executed on Oct. 22, 1979, in the gas chamber in Carson City, Nev. Bishop, 46, was convicted of killing a Baltimore man in Las Vegas. He also rejected an appeal.

Before Bishop was John Spenkelink, on May 25, 1979, by electric chair in Starke, Fla. Spenkelink, 30, was convicted of the murder of his crime companion.

Ironically, Spenkelink's body was exhumed last week so officials could determine whether he was tortured before he was put to death. No foul play was detected.

Gilmore killed Brigham University law student Max Jensen, 24, on July 19, 1976, in a service station robbery. On July 20, he killed Bennie Bushnell, 26, who worked as a night clerk in a Provo motel. He was con-

## Law Column

### In re Rogers (Crim. 21429)

On December 24, 1980, the California Supreme Court's decision in *In re Rogers*, (Crim. 21429, filed Nov. 24, 1980), became final. The decision holds that the Board may not increase the term of a prisoner solely because of the fact of a prior conviction which a court has found constitutionally invalid.

Any prisoner who meets the following requirements should file an administrative appeal with the Board based on *Rogers*:

1. The Prisoner has a term set by the Board under PC Section 1170.2(b) or a period of confinement established under PC Section 3041; and
2. the term or period of confinement includes an enhancement for a prior conviction or prior prison term; and
3. The enhancement is based on a factual finding by the Board that the prisoner has suffered the prior conviction or served the prior prison term; and
4. The prior conviction has been determined by a court to be constitutionally invalid. The court must specifically find that the prior conviction is unconstitutional.

The appeals will be reviewed by the Board to determine whether the provisions of *Rogers* apply.

If the Board determines that *Rogers* applies in the case of a prisoner whose term was established under PC Section 1170.2(b), the appeal decision will order the Board to review the case further to determine whether the term, as reduced by *Rogers*, is appropriate. If the term as reduced is determined to be appropriate, the calculation will be confirmed by the Board. If the term is determined not to be appropriate, a hearing will be held, allowing the Board to exercise its discretion under PC Section 1170.2(b) to establish the amount of time that is appropriate for the conduct underlying the prior conviction.

If the Board determines *Rogers* applies in the case of a prisoner whose parole date was established under PC Section 3041, the adjustment for the prior felony conviction or prior prison term will be considered at the prisoner's next parole consideration hearing.

The appeals should initially be filed with the Classification and Parole Representative. The Classification and Parole Representative shall forward the appeal to the Board, along with a copy of the Board decision at issue, and an official document striking the prior conviction as constitutionally invalid. In most cases, the burden will be on the prisoner to prove that the prior conviction has been determined by a court to be unconstitutional.

# 51 Men Await Fate on Death Row

SAN FRANCISCO (AP) — At San Quentin Prison, 51 men await an uncertain fate in the purgatory known as death row.

It has been 14 years since the executioner last pulled the red lever outside the gas chamber. The slowness of the appeals process, coupled with controversy over the state's death penalty, means it could be another 14 years — if ever — before the chamber door closes on another of California's condemned.

Meanwhile, they wait.

"There's a lot of pressure on those people up there," said Quin Denvir of the state Public Defender's office. "More people die at their own hand on death row than have died in the gas chamber."

Two death row inmates, including so-called "vampire killer" Richard Chase, have committed suicide in the past two months, he said, adding "Many people on death row would rather be put to death than live the rest of their lives in prison."

No executions are scheduled, said Phil Guthrie of the state Corrections Department. An-

drew Robertson, a convicted murderer from San Bernardino County who came to the row in 1978, has been waiting the longest. However, because of automatic appeals, there is no way to tell who might be next.

The first to die in the apple-green chamber was a pig from the state prison farm, sacrificed in 1938 to test the state's new \$4,000 death machine. The last was Aaron Mitchell, a 37-year-old black man convicted in a Sacramento police shooting, who went to his death in 1967 claiming he was a prophet. In between, 194 people have been strapped into the chamber's chair, including four women. The last woman to die was Elizabeth Ann Duncan, 58, convicted of hiring two men to kill her daughter-in-law. She was executed in 1962.

Since then, the state Supreme Court has twice declared California's death penalty statute unconstitutional. In 1977, after eight months without a death penalty, the state Assembly mustered the exact two-thirds majority needed to override Gov. Edmund G. Brown Jr.'s veto of a

law authored by then-state Rep. George Deukmejian, who is now state attorney general.

A year later, the Deukmejian bill was replaced by the Briggs Initiative, sponsored by Republican Sen. John Briggs of Fullerton.

The state's high court has upheld the constitutionality of at least two death sentences under the Deukmejian law. It has yet to decide the validity of the Briggs Initiative, but Denvir says the law's broad applications make it questionable.

"It was intended to cover almost any first-degree murder," he said of the law, which allows for the death sentence or life imprisonment without parole under 19 special circumstances. "The irony is, that it doesn't cover one thing that most people think is most blameworthy, and that's premeditated murder."

Denvir, whose office has handled seven of the eight death penalty appeals that have come down and is dealing with another 15, called the law a "freakish thing. There's really no standard to decide who gets life and who gets death."

### Movie List

Mar. 14—"Saint Jack," R, 112 min., New World.

Mar. 21—"Prom Night," R, 89 min., Avco Embassy.

Mar. 21—"La Guerra de los Sexos" (Mex.), Columbia.

Mar. 28—"Motel Hell," R, 92 min., United Artists.

### San Quentin News

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner ..... Warden  
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## Educational Counseling

For those interested in attending school on the streets, academic and vocational counseling is available in the Community Resource Information Center (CRIC) on Wednesdays.

Suzanna Hart-Broughton, from the College of Marin, can be seen by appointment and sometimes on a drop-in basis. Contact Jim Wiles in CRIC in the library.

### Send Home the SQ News For \$1.00 Per Year

Subscription forms are available at the front counter in the education department. These forms are to be filled out in duplicate and then submitted to the accounting department.

### Capital Punishment in Japan — Media Not Invited

Since 1970, 94 people have been executed in Japan and 24 are currently on death row. Since the end of World War II, 570 people have been hanged, most of them for murder.

Authorities do their best to keep executions out of the newspaper — the name of the prisoner and the date and place of execution are kept secret. Relatives are told only after the execution and are advised by telegram or by mail.

### —Did You Know?—

Prisoners in the California Department of Corrections may subscribe to the Prisoners Union Journal at no charge. Simply address requests to: Prisoners Union 1315 18th Street, San Francisco, CA 94107.

### SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF MARIN

## Everly Stoneham vs. Ruth Rushen

### No. 100852

### JUDGMENT GRANTING PEREMPTORY WRIT OF MANDATE

For the reasons expressed in the Notices of Intended Decision filed respectively December 11, 1980, and January 23, 1981, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

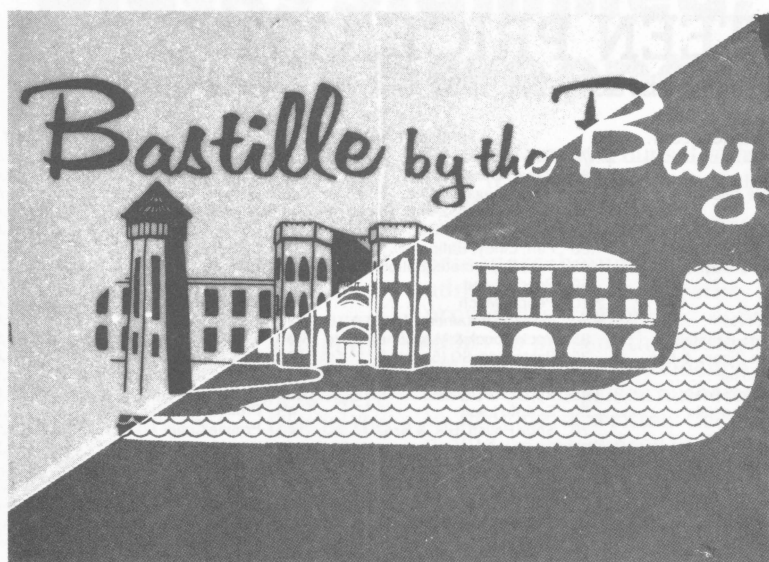
- (1) A peremptory writ of mandate shall issue under the seal of this Court commanding defendant Ruth Rushen and her agents to cease classification and transfer of inmates under the rules and regulations set forth in California Department of Corrections Administrative Bulletin Nos. 80-15 and 80-20 unless and until proof is made to the satisfaction of this court that these rules and regulations which implement the use of a system for classification and transfer based on standardized scoring and classification "points," have been adopted pursuant to the formal provisions of the Administrative Procedures Act, Government Code Section 11340, et seq.
- (2) The writ shall not prevent defendant or her agents from transferring prisoners based on considerations other than the implementation of these rules and regulations.
- (3) Execution of the writ is stayed until March 27, 1981.
- (4) Except for the relief granted above, the alternative writ of mandate issued under seal of this Court November 14, 1980, the restraining Order issued November 18, 1980, and the peremptory writ issued December 17, 1980, shall be discharged.

DATED: Feb. 26, 1981

Henry J. Broderick  
Judge of the Superior Court,  
Marin County







By Joe Morse

Friends have often asked if boredom is a problem in the prison setting, and it seems this would be an opportune time to offer a few thoughts on the subject.

Boredom in prison can be deadly. The authorities here at SQ have apparently realized this and are doing all they can to prevent it from becoming a problem. Boredom results from routine, and finding something operating routinely in SQ has become quite a feat. End of problem.

I guess cons are destined to continue looking at the negative aspects of everything. Others know that all the apparent changes and confusion are a part of the master plan to keep our minds from stagnating. We oughta be more thankful. They try to do us a favor and a few of us call 'em buffoons. Damn ingrates.

We cons often make such rash judgments. Look how many of us criticize an institution that has had only 128 years to organize itself. The place could stand a minor improvement or two, but be patient, fellas. Give them a little time.

A few cons will remain lost in their negative thoughts, but most of us are grateful for such a progressive system. Even with the law and order mood so prevalent on the outside, our welfare remains the paramount concern of the officials and we'll reap the benefits of the fight against stagnation.

We gotta give credit where it's due. What other system offers such an unending opportunity to toy with new thoughts and ponder such interesting contradictions? Just look at how many hours one could pass trying to guess whether the east block will have a mainline or a lockdown status each week.

Maybe it's time to stop and count our blessings. Let's show a little more appreciation when we're given a new directive or memorandum to ponder. What other warden has ever issued a memo which is so intriguing the entire east block is still trying to figure it out? The one explaining the latest lockdown in the east block is a real challenge. Reports state that the east block cons will figure part of it out before June, but they admit to having assistance from the computer in the data processing center.

Most of us realize just how lucky we are to be under the control of a system so dedicated to our welfare. Every day brings a new situation to explore. Just think of how dull it would be if we knew our feeding schedule. Hell, the blacks in the east block just had the added challenge of having to figure out *whether* they were gonna be fed.

Like it or not, we gotta give the staff credit for their concern. Remember how routine it used to be to wake up and have some idea what you would do that day? Well, we no longer suffer that agony either. Who among us now can get up and make definite plans for that afternoon? Each hour will present a new situation. Will the computer spit out a transfer for me today? Will the block be locked down? Will I be shot? The list is endless — in spite of our lack of appreciation. It might be poetic justice if we lost a few of these privileges for a few days. Might bring out a little more appreciation around here.

Fortunately, the authorities realize the ingrates constitute a minority. Most of us have noted the relentless efforts to find new regulations, routines, directives, etc. Finding something new each week in an institution 128 years old is quite a task. I've been witnessing the changes for 19 years, and they never cease to amaze me. Just when I feel they've exhausted their ideas, they zap us with something new. There seems to be no limit to their concern for our equanimity.

So let's hear it for progress. We oughta be damn grateful we live in a society with such humanitarian interests. Everything we see around us disproves the complaints of the few grumblers. How can they even suggest incompetence or a lack of concern? Things were routine for two or three days in a row last week. Someone must have suggested a change and there it is. The National Guard is now digging up the lower yard. How many times have ya seen that? Would an indifferent or incompetent administration have expended so much effort to break the routine?

## State High Court Upholds 2nd Death Penalty Since 1967

By William Carlsen  
S.F. Chronicle

The state Supreme Court upheld the death sentence last week for a San Diego man accused of the 1978 slayings of two teenagers, making him the second man in the state to face execution since 1967.

The court had upheld the constitutionality of a death penalty sentence last October in the landmark case involving convicted slayer Earl Lloyd Jackson that has since been appealed to the U.S. Supreme Court.

Pending a decision on whether the California death penalty law meets the federal constitutional standard, the state court ruled last week in a 4-to-2 vote that Robert Alton Harris was not denied a fair trial in 1979 despite widespread pretrial publicity surrounding his case.

Justice Mathew Tobriner, in a stunning reversal of his earlier strong opposition to capital punishment, provided the key deciding vote to uphold the death sentence.

Justice Wiley Manuel, who died last month, and Justice William Clark, who is leaving

the court to take the job of deputy secretary of state in the Reagan administration, provided two of the four votes last October upholding the death penalty law.

With their departure, the court has only two justices, Frank Newman and Frank Richardson, who view the state law as constitutional.

Three justices — Chief Justice Rose Bird, Stanley Mosk and Tobriner — were believed to be unwavering in their opposition to the death penalty.

Tobriner said last week that he still believes the state law will be found unconstitutional.

He wrote: "Until the majority opinion in Jackson (last October's case) is reversed by the United States Supreme Court or is overruled by a majority of this court, however, I consider myself bound to that decision's holding."

Joining Tobriner in upholding Harris' sentence were Newman, Richardson and Clark, who wrote the opinion, which may be one of his last.

Only Bird and Mosk dissented in last week's decision, indicating that after Clark leaves, the court will stand 3 to

2 for the death penalty, instead of 3 to 2 against.

The court majority last week rejected arguments by Harris, the condemned man, that the judge in his case erred when he did not move the trial to another county because of adverse publicity.

Harris, who was on parole after serving time for a manslaughter conviction, was convicted and sentenced to death for shooting to death two San Diego teenagers because he wanted to use their car to rob a bank.

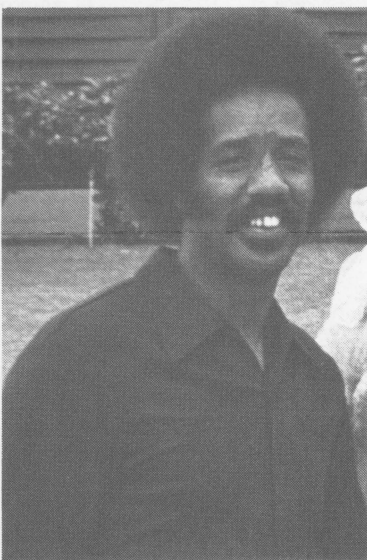
He admitted the murders on the witness stand during the penalty phase of his trial.

Justice Clark wrote that the questioning of the jurors selected for his trial "clearly indicated pretrial publicity did not have the effect of denying the defendant his right to a fair and impartial jury."

But Chief Justice Bird strongly disagreed, citing a long list of what she characterized as sensational and inflammatory media reports published and televised before the trial began.

## Owens...

Continued from page 1



AARON "KNOWMAN" OWENS

California law allows persons wrongly imprisoned to file a claim with the state Board of Control. The maximum allowable claim is \$10,000. The money must be appropriated by the Legislature, which generally does so with little objection.

Owens could try to prosecute Alameda County for malicious prosecution, but counties usually attain immunity from such attempts if they acted in good faith.

"I'm not mad at any particular people," he said, "I'm mad at the system." The slight 37-year-old told reporters, "I'm not gonna spend much time with you people, because I want to get outside and see what it feels like."

Owens' mother, Gladys Owens, wept with joy as his wife, Barbara, and daughters Evangela, 14, and Latonja, 13, stood by.

Later, Whyte said that his office is continuing its investigation of the murders, but that he doubts the guilty man, who is a "dead ringer" for Owens, will ever be prosecuted.

"The two people alive that know and could identify him are one witness and Bailey," Whyte said yesterday with a shrug.

"Bailey is not about to testify, and the witness has already identified Owens. It was an honest mistake."

## Letters

Dear Editor:

I think it's about time Warden Sumner started letting the inmate population know what is going on around here.

Even the Men's Advisory Council hasn't heard anything in more than two months. Where are all the inmate-to-staff communications? Or, is that just something we talk about and don't practice?

I think it's about time the warden started following his own advice and let the men know what is going to happen.

— Jay Capra C-6828

Mr. George Sumner:

I would like to remain anonymous, but I do want to express my sincere concerns about the visiting facility.

Since I have been visiting my husband, I have seen things that really makes our visit uncomfortable and embarrassing.

There is open sex between inmates and their women, dope being smoked in open view of everyone, and no one seems to care. I can't believe that the professional people you have employed there could allow such madness to go on.

With all due respect for other human beings, I hope you can find time in your busy schedule to at least make visiting a family affair again.

Sincerely,

— In the name of God

ED. NOTE: It is against the policy of this paper to publish anonymous letters, but we are making an exception in this instance.

Dear Editor:

I have never really taken the time to give my opinion about very much, except for the under-the-breath bitching that cons do for conversation, but now I feel compelled to speak out against the statement that the college program is going to be shut down.

I have been attending college for the first time since I was 17 years old, and now that I am just getting back into good study habits, and desiring to learn more, the Man takes yet another much-needed program away.

In talking with several of the people on the yard the constant thought expressed is that this is just one of the many ways the Man is trying to make the mainline population act up, and then they will be justified in locking down the whole joint.

In saying this, I just hope that all of the convicts here take this with a grain of salt, and not let any of the petty or childish things that keep coming our way control us. If we sit back, and just wait them out, we will end up on the best end overall, and that is the name of this game.

Well, 'nuff said.

— Baggs C-11711

Dear Editor:

The private industries bill (SQ News Jan. 30) sounds like a positive step in the right direction. It is most gratifying to see that community support is also favorable to this concept.

There are two main areas, however, where I cannot help but feel apprehensive:

1. There have been many positive bills passed by the legislature which really sounded good at their inception, but in the process of adding on amendments, a great deal of "positive" was detracted. Will this be the case with the private industries bill?

2. Will the responsibility for opening on time, allowing the workers access, and closing on time, lie with the company, Department of Corrections, or a combination of both? Corrections has a history of demonstrated difficulty in maintaining even the most mundane institutional jobs in an orderly, efficient manner. This could be total disaster for the proposed project before it even gets started.

It was extremely interesting to pursue some of the opinions of Nancy Clark's friends (SQ News March 6) and many offered valid, constructive suggestions.

One of the most interesting was the union organizer, who feels that the pilot project should include two prisons and the 10 year trial period be flexible enough for periodic review with possible expansion based on success rate.

There are points that will need to be fine-tuned such as deduction rates for victim reimbursement, family support, etc., but overall it is a good bill — positive in intent and a step forward!

It will be interesting to see what progress is made by the legislature in the months to come.

— Dave Thies

Dear Editor:

I noticed your complaint in the March 6 issue that the inmates had failed to respond to your request for comment about the private industries in prison law which appeared in your Jan. 30 issue.

I'm not sure why others made no comment, but the reason I didn't was because it seemed to be such an obviously phony piece of legislation.

How could such a thing possibly be made to work under those restrictions? What possible reason could a private company have for setting up a branch factory in here — other than cheap labor? This bill says they'll have to pay as much to an inmate as they would to free labor. So, what would they gain by coming in here if they can't have any cheap labor?

It's the same old story: The unions have always opposed privately owned factories inside prisons because cheap prison labor would undercut union wage scales. So, to make sure this won't happen, they throw a clause in the bill that says that all such jobs must pay union scale wages — to make sure that no such factories ever get built, since this way, who would want to build them if there is no profit to be made by doing so?

So, some politician gets a feather in his cap for pushing such legislation, but, under such a restriction, no practical benefits will ever accrue to anybody. It's obviously a political scam. Of what use is our writing you letters about it?

— Doug Matheson B-52932



## Minor Incidents Start Week Out

One warning shot each was fired by three different gunmen to break up a fistfight on the C Section yard last Saturday morning, according to Mike Madding, public information officer.

Madding also said a whistle alarm was sounded in A Section Sunday evening in response to a fistfight involving three prisoners. One of the men suffered a minor thumb injury in this incident, he said.

On Monday night a warning shot was fired to halt another fistfight in B Section, Madding added.

No weapons were involved in any of these incidents and all are being considered personal disputes.

## Killer Who Wanted to Die Is Electrocuted in Indiana

MICHIGAN CITY, Ind. (UP/AP) — Steven T. Judy, saying “I don’t hold no grudges,” walked calmly and quietly to the electric chair early Monday and was executed for murdering a young mother and her three small children.

Department of Corrections spokesman Tom Hanlon said Judy was pronounced dead at 12:12 a.m. CST, March 9.

He said the 24-year-old murderer’s last words were: “I don’t hold no grudges. This is my doing, sorry it happened.”

It was the first time he expressed any remorse.

Judy’s last days were spent resisting outside efforts by religious and civil rights groups to halt the execution, labeled “ceremonial homicide” by an official of the American Civil Liberties Union.

As the appointed hour of execution approached, however, about 200 opponents of capital punishment staged a candlelight vigil of protest in the sub-freezing night outside the prison gates.

They had driven to the prison from St. Ann’s of the Dunes Church, where Judy’s foster mother urged a crowd of 500 people not to “give up your fight even if this goes through tonight.”

Inside the towering prison walls that were bathed in the amber glow of floodlamps, Judy spent his final hours in a tiny cell just six paces from the electric chair.

The condemned man, who said he believed in reincarnation, declined a meeting with the prison chaplain.

He was escorted quickly to the chair — a high-back, wooden structure made from parts salvaged from the old prison gallows 63 years ago — where saltwater-soaked electrodes were attached to his shaved head and a leg.

Prison Warden Jack Duckworth, an ordained Methodist minister and former missionary, then sent a surge of 2300 volts of electricity into Judy’s body for 10 seconds, then a second charge of 500 volts for 20 seconds.

Judy thus became the 60th person executed in Indiana’s electric chair — the first since 1961 — and the fourth person executed in the United States since the death penalty was reinstituted four years ago with the firing-squad execution of Gary Gilmore in Utah.

Governor Robert D. Orr of Indiana had waited by a phone in Indianapolis in case Judy had a last minute-change of heart and appealed for a halt to the execution.

But no call came.

“He was very calm, and walked to the chair very quietly,” Hanlon said. “He walked to the chair with no help.”

When Judy entered the death

cell at 12:05, Hanlon said, he took off his wristwatch and asked that it be given to fellow death row inmate Jim Lowery, his closest friend.

At an impromptu news conference outside the prison gates, attorney Steven L. Harris, who witnessed the execution, said Judy had been able to joke with guards when he was led to the electric chair. Judy’s trousers had been slit so an electrode could be attached to his leg, and Harris said Judy quipped to two guards: “I’m going to send the state of Indiana a bill for \$15.”

Judy’s short walk to the electric chair began back in his violent youth, when, at age 13, he raped, stabbed and bludgeoned a woman who miraculously survived his savage knife and hatchet attack.

He was committed to an Indianapolis mental institution for less than two years, and doctors diagnosed him as a sexual psychopath. After his release, according to his own admission, he committed 13 rapes, 50 armed robberies and about 200 home burglaries.

It was not until the 1979 rape and strangulation of an Indianapolis woman and the drowning of her three small children (ages 5, 4, and 2) that the violence stopped, with his swift capture.

Hanlon said the body was released to the county coroner.

Earlier, the blond, mustachioed slayer had bid a tearful farewell to his foster family.

“Steve is not going to change his mind,” his foster father, Robert Carr, of Indianapolis, said after he, his wife, Mary, and their four children visited Judy.

“He broke down three or four times, especially when we left, but I tried everything I know to talk him out of it,” Carr said.

After the emotional visit, Judy calmed down and ate a last meal of prime rib, lobster tails, potatoes with sour cream, chef salad with french dressing and dinner rolls. Prison officials rejected his request for four cans of beer.

Judy could have had up to 10 friends witness the execution but chose only his foster father and attorney.

Mrs. Carr said a funeral for Judy would be held Thursday, “I want all those people who favor the death penalty to know all about it,” she said. “I want some of them to go to sleep at night with the picture of the execution in their minds.”

### Kennedy Film to be Shown Sunday

A film on the late President John F. Kennedy’s visit to Ireland will be shown March 15 at 1 p.m. in the Catholic chapel.

The film will be shown in honor of St. Patrick’s Day, which is the following Tuesday.

## CANTEEN PRICE LIST

February 27, 1981

FOODSTUFFS		BEVERAGES CONT.		SUNDRIES CONT.		HAIR ACC. & CONDITIONERS CONT.	
A-1 Sauce	\$1.00	Tea Bags, 100	\$2.75	Paper, Bond 16 lb.	\$4.70	Brut 33 Hairspray	\$1.55
Bean Dip, Jalapenos	.60	Tea, Instant	.80	Paper, Bond 20 lb.	5.45	Chenti Panthenol Rinse	1.65
Beef Sticks	.30	V-8 Vegetable Juice	.35	Paper, Legal 26-line	10 for .13	Combs, Natural	.60
Candy, Bags	.65			Paper, Legal 32-line	10 for .16	Combs, Regular	.45
Candy Bars & Lifesavers	.20	TOBACCO & ACCESSORIES		Papermate Refill	.75	Comb, Natural Pick	1.00
Candy Bars, lg.	.85	Beechnut Tobacco	.60	Pen, Lindy, Ballpoint	.25	Combout	1.25
Cheese, Sliced	1.20	Borkum Riff, 1.5 oz.	.65	Pen, Papermate, Ballpoint	.75	Dixie Peach, lg.	1.15
Cheese, Loaf, 2 lb.	3.85	Bond Street	.60	Pencil, Lead	10	End Paper	.90
Cheetos	.85	Bugler, 7 oz.	2.10	Pencil, Mech	.90	Hair Brush	1.40
Chile Con Carne	.60	Cigarettes, Carton	5.50	Plastic Containers, 4/set	2.20	Hair Food	1.65
Chile Peppers	.95	Dutch Masters Panatellas	.85	Pocketbook & Magazines 75 to	3.90	Hair Glo	.95
Chile Sauce	.75	Garcia y Vega Cigars, 5-box	.35	Postcards, SQ (5-pict)	.90	Hair Oil Hqz	.65
Chunky Beef Soup	.70	House of Windsor	.20	Postcards, Standard	.10	Magnetic Hair Rolls, med. & lg.	.90
Cookies	1.10	King Edward Imperials	.45	Room Freshener	.80	Mustache Wax	1.05
Crackers, Graham	.90	King Edward Specials	.30	Scripto Lead	.45	Proline Combout	1.30
Crackers, Ritz	1.10	Lighter, Butane	.70	Shoe Polish, Blk. & Brn.	.40	Proline Cond.	1.10
Crackers, Saltine	.80	London Dock	.55	Shower Slippers, sm., lg., x-lg.	.80	Proline Cond., Gel	3.35
Cupcakes & Fried Pies	.40	Mixture 79	.55	Spoons, Plastic	2 for .05	Protein 29	1.15
Dill Pickles	1.15	Papers, B&W	.15	Stamps	.15	Roller Pins	.35
Donuts, Assorted	1.20	Papers, Yorkshire Long	1.05	Sun Glasses	2.40	Ultra Sheen Kit	6.35
Dry Cereal	.20	Pipe Cleaners	.30	Sun Glasses, Clip-on	2.50	Vitalis, Super Hold	2.30
Fritos	.70	Pipe Filters	.15	Tablet, Colored	.95	Wave Rods	1.20
Funyuns	.70	Pipes, Doctor Grabow	2.55	Tablet, yellow, ruled	.75	SOAPS & SHAMPOO	
Honey Butter	.90	Pipes, Kaywoodie	6.50	Tablet, white, ruled	.60	Shampoo, Chenti Panthenol	1.65
Honey Natural	1.05	Prince Albert	.40	Toenail Clippers	.90	Shampoo, Head-n-Shoulders	.80
Hot Sauce, Louisiana	.40	Prince Albert, lg.	3.85	Tumblers	.70	Shampoo, Prell	.85
Ice Cream Novelties	.15	Red Dot	.60	Tweezers	.55	Shampoo, Pro-Line	.90
Ice Cream, Pint	.55	Roll-ese Reg. & Menthol	1.20	Watchband, Exp.	1.80	Shampoo, Sebutone Tar	2.35
Jalapenos Peppers	.60	Rolling Kit, Bugler	1.95	Watchband, Nylon	1.35	Shampoo, Subulex, Med.	1.90
Jam	1.25	Snuff, Copenhagen	.60	Watch, Pocket, Westclox	9.45	Shampoo, Sulphur 8	2.00
Marshmallows	.50	Top, 7 oz. tin	1.95	Watch, Wrist, Timex	17.90	Shampoo, Woodbury, 16 oz.	.75
Mayonnaise, Miracle Whip	.55	Top, Kite	.30	TOILET ARTICLES		Soap, Cocoa Butter	.80
Menudo Stew, 7 1/2 oz. can	.40	Velvet, lg.	4.30	Afta Shave	1.10	Soap, Dial	.50
Mustard	.40	Velvet, sm.	.50	Brush, Shaving	3.80	Soap, Irish Spring	.40
Onion Rings	.70	White Owl Panatellas	.75	Brut 33 Cologne	1.55	Soap, Palmolive	.35
Peanuts, Spanish, Salted	.45			Brut 33 Deodorant Stick	1.15	Soap, Sestid	1.45
Peanut Butter	1.40	SUNDRIES		Copper Tone Tan Lotion	1.30	DENTAL SUPPLIES	
Peacan Pies	.40	Aerogrammes	.22	Cocoa Butter	.85	Binaca Breath Drops	1.15
Pico Pica Sauce	.45	Alarm Clock	7.30	Chenti Panthenol Lotion	4.25	Cepacol Mouthwash	1.75
Popcorn	.15	Album, Photo	2.45	Colgate Shaving Soap, cup	.30	Dental Floss	.65
Potato Chips, Bar-B-Que & Plain	.70	Album, Refills	.55	Colgate Rapid Shave	.90	Denture Brush	1.20
Pretzels	.70	Art Corners	.45	Intensive Care Baby Oil	1.20	Efferdent Cleaner	1.80
Rolls, Assorted	1.30	Bags, Zipper, Canvas	6.00	Jergens Direct Aid Lotion	1.15	Polident Cleanser	1.65
Salami	1.05	Batteries, AA (4)	.45	Magic Shave	.65	Poligrip Adhesive	.75
Sardines	.75	Batteries, C-size, D-size	.40	Mennen Cream, Brushless	.65	Toothbrush	.30
Soup, Cup of	.15	Batteries, 9-volt	.60	Mennen Cream, Lather	.65	Toothpaste, Colgate 7 oz.	1.00
Sugar Cubes, 1 lb.	.80	Binder, 3-ring, 8 1/2 x 11	3.70	Mennen Deod. Stick, 1 1/4 oz.	1.00	Toothpaste, Pepsodent, sm.	.25
Top Ramen Soup	.35	Binder paper, 3-hole	.80	Noxema Cream, Brushless	1.05	Toothpaste, Topol, 3 oz.	3.25
Tortillas, Floured	.90	Can Openers	.40	Noxema Skin Cream	1.30	Toothpicks	.45
Tuna Fish	1.15	Christmas Cards, Box	1.69 to 3.29	Pond's Milk Skin Care	1.20	Toothpowder, Colgate	.90
		Christmas Cards	5.00	Powder, Casmere Bouquet	.70		
BEVERAGES		Cards, Greetings	.25, .35 & .50	Powder, Magic Shave	.70	DRUGS	
Breakfast Drink	1.40	Cards, Greetings	.15 to 2.50	Powder, Mennen, Bath	1.15	Alacer Multi-Vitamin, 7 oz.	10.10
Cocoa Mix, 1 1/4 lb. bag	2.60	Decanter, Plastic	1.85	Powder, Mennen, Face	.60	Alka Seltzer, Pkg. of 2	.10
Coffee, Hills Brothers, 2 oz.	.95	Dissolution, Regulatory	3.00	Razor, Double II	1.45	Clearasil	2.20
Coffee, MJB, 10 oz.	3.75	Divorce, Summary	5.00	Soytic Pencil	1.25	Cough Drops	.30
Coffee, Tasters' Choice	3.75	Envelopes, Blank	.02	Soap Dish	.50	Hoffman's Hi-Pro Pwd., 1lb.	3.45
Dairy Creamer, Maxwell	.80	Envelopes, color 24	.55	Washcloth, White	.40	Lip Ice	.45
Egg Nog, qt.	1.05	Envelopes, Expanding	1.60	HAIR ACC. & CONDITIONERS		Quinsana Footpowder	1.45
Kool-Aid, 2 qts.	.65	Envelopes, Plain, Manila	.15	Alberto VO-5	1.80	Tums	.30
Lemonade, qt.	.30	Envelopes, Stamped	.17	Breck Cream Rinse	.90	Vicks Vapo-Rub	1.35
Milk, Chocolate, qt.	.65	Fingernail Clippers	.40			Visine Eye Drops	1.70
Milk, Fresh, qt.	.65	Ink, Refills, Saeffer	.15				
Milk, Powdered	1.30	Handkerchiefs	.80				
Ovaltine	1.65	Padlock, Combination	2.90				
Soda Pop, Canned	.30	Paper, Blue Bond 16 lb.	5.30				

The main canteen will accept whole \$1 ducats during the first week in months that have two dead weeks.

—W. Riebling, Canteen Manager II

## Court To Rule On Censorship

By William Robinson

Can the Department of Corrections exercise complete censorship over articles submitted to a prison newspaper written and edited by prisoners, or do prisoners, like other Americans, enjoy the right to express themselves on the printed page free of unwanted control? This is the issue at the heart of the prison censorship case, *Bailey vs. Loggins*, which came up for hearing before the California Supreme Court on Wednesday, Dec. 3, 1980.

The censored articles were written in early 1976 for publication in the “Soledad Star News,” the institutional newspaper at the Correctional Training Facility. The paper is written entirely by prisoners, and is circulated only within Soledad prison. The articles, which were written by Prisoners Union activist Willie Brandt, described talks delivered to Soledad convicts by two visitors to the prison. One article was entitled “The Intelligent Use of Power” and described a lecture by Alice Lytle, then deputy legal affairs secretary to Governor Brown; the other, “Solidarity Forever,” covered a speech by Berkeley professor Norm Amundson of the Center for Labor Research and Education. Both articles were approved for publication by the editor of the “Star” prisoner Artie Bailey.

It was no accident that the articles were censored at a time when the Prisoners Union was making every effort to organize the prisoners at Soledad, using every method to further this goal, including the printed word. Artie Bailey and

the Prisoners Union filed suit in the August of 1976 to compel the Department of Corrections to print the articles. Monterey Superior Court Judge Richard M. Silver’s ruling went a step further and ordered publication, stipulating that the Department of Corrections could not censor an article unless it could reasonably be deemed a threat to prison security. His ruling was upheld by the First District Court of Appeals in San Francisco in a 2-1 decision.

In argument before the California Supreme Court recently, Prisoners Union attorney Michael R. Snedeker waxed eloquent in support of Judge Silver’s order and on the First Amendment principles of free expression. Snedeker argued that when the Department started the “Star” it created a forum for the free expression of prisoners subject to, as is any publication, editorial discretion. California Penal Code Section 2600, when read together with the Constitutions of the United States and California, maintains that the only manner in which a prisoner can be deprived of his fundamental rights is where the exercise of those rights interferes with the security of the correctional institution.

Deputy Attorney General Richard G. Tullis, who represented the Department of Corrections, characterized the issue differently: “It’s not First Amendment nor a prior restraint case . . . It’s a question of *our* property and how *we* use it.” Comparing the “Star” to a commercial newspaper, Tullis likened the Department of Corrections to the publisher of the newspaper, which can print what it pleases to print.

Through this analogy Tullis asserted that some stories which may not threaten prison security still “shouldn’t be in our paper.”

“Is that the test?” queried Justice Stanley Mosk, “things you don’t want in your paper?” Tullis had to admit that this was so.

Snedeker and an attorney for the American Civil Liberties Union, who spoke for *amicus curiae*, argued that because a state agency and not a private individual or corporation is the owner of the “Star,” the publisher’s rights argument cannot apply. They went on to explain that the very purpose of the First Amendment guarantee of a free press is to prevent the government from deciding what constitutes proper expression, and so determine what Americans can write and read. The fact that speech may create controversy or advocate social change can never be a reason for a government to suppress such speech. Justice William O. Douglas, of the United States Supreme Court, wrote some 30 years ago that “a function of free speech is to invite dispute . . . it may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea.”

Rose Bird, chief justice of the California Supreme Court seemed quite taken with these notions of the purpose of free expression in the press. Tullis attempted to explain that the paper existed only to help teach prisoners journalism skills, not for the purpose of promoting free expression. An astonished chief justice responded, “What kind of journalism teaching is it if you censor articles critical of the prison administration?”



# There's New Clout Behind the Drive for Prison Reform in U.S.

By Robert M. Press

Staff correspondent of The Christian Science Monitor

For years calls for prison reform have been led by persons considered liberal and, sometimes, as "soft on crime."

Now Warren E. Burger, Chief Justice of the United States and seldom described in either of those terms, has called the nation's prison system "expensive," "stupid," and out of the "19th century."

Hardly had he presented his call for reform when two prison riots occurred earlier this month — one in Louisiana and the other in Washington State — further underscoring the need for change.

To add further "momentum" to reform efforts, the U.S. Department of Justice has issued its first comprehensive standards for prisons and jails.

Meanwhile, a U.S. district judge in Texas has declared that state's prison system, largest in the nation, unconstitutional. In his decision, Judge William Justice cited the use of prisoners to quell disturbances by other prisoners, overcrowded cells and payless labor.

Texas prison officials did not deny that their system is overcrowded, according to a spokesman. But they are nonetheless likely to appeal the decision.

The Texas decision is "probably the most important prison case" yet decided by a federal court, says William Nagel of the nonprofit American Foundation, which seeks prison reform. If upheld, he says, the decision will provide a precedent for suits in other states calling for reduced noise in cell blocks, better recreational facilities and opportunities, and more space and privacy, among other changes.

The new Justice standards call for 50 to 80 square feet of space per inmate — more than double what many Texas prisoners have, Nagel says.

The standards will help state corrections commissioners when they seek additional funds from their legislatures, he says. He also applauds the remarks by Chief Justice Burger.

Says Nagel: "Nobody ever considered Burger to be soft on crime, or a wide-eyed liberal — and he's saying the same things we're saying."

In his year-end review of the criminal justice system, Burger stressed the need for prison reforms. "To put people behind walls and bars and do little or nothing to change them is to win a battle but lose a war," he said.

In recent years, both federal and state prison systems have made it easier for prisoners complaints to be heard. And organizations have been set up to help ex-offenders find jobs.

But most prisons remain in what officials consider dangerously overcrowded conditions, and most states are hardpressed to find construction funds for new facilities.

Reformers continue to suggest that less expensive alternatives be used, such as greater use of probation and halfway houses, the resident of which may work or attend classes.

Other new Justice Department standards cover inmate access to the courts and communication, health facilities, and rules of discipline and their fair enforcement.

Nationally, however, court orders for prison changes are seldom carried out rapidly. A court-appointed monitor of the Georgia State Prison at Reidsville reported Jan. 6 that many changes ordered in 1976 still have not been made. As a result, the Monitor said, the prison remains "volatile."

# San Quentin News

THE PULSE OF SAN QUENTIN

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TAMAL, CALIFORNIA 94964

Friday, Mar. 20, 1981

## Personal Expansion Program

# An Instrument for Change Towards Positive Growth

By Jimmy Price

They each run on about 5000 volts apiece and their energy is visibly aglow—you can almost see the tiny sparks crackling and flying off. They generate a strong magnetic field around them that touches and wakes you up, leaves you positively charged with a renewed energy of your own. They are Patricia Frisch and Alan Emery—the dynamic codirectors of the Personal Expansion Program—still very alive here at San Quentin.

Six years ago this spring, Patricia came to the prison to organize and conduct a group counseling session for parole violators. So popular and successful this group became that other mainline prisoners weeded their way in, and the need for a full treatment program soon became apparent.

Teaming up later that year with Alan, the two began writing grant proposals and laying the groundwork for a wide range human service program here. In December 1976, Counseling and Training Consultants, a private nonprofit corporation, was formed to oversee the program.

Originally called the Substance Abuse Program, they changed their name last summer to the Personal Expansion Program (PEP) to more accurately define their broader purpose.

The split project includes professional group therapy and counseling services to prisoners, as well as human relations, communications and stress reduction workshops for correctional staff. PEP emphasizes the potential for positive personal growth for both prisoners and staff alike.

PEP is a community based program—neither funded nor controlled by the Department of Corrections—yet it has existed inside the walls of San Quentin longer than any other such program. Since its inception, PEP has served about 800 prisoners and 200 correctional staff—the success of which is documented and attested to by numerous letters of appreciation now kept on file.

## Treatment Program

Approximately 75 prisoners are presently involved with the PEP program. In addition to the four weekly mainline groups, there is also a peer counselor training group where the skills of group facilitation are taught to veteran PEP participants. Individual counseling is also available to prisoners.

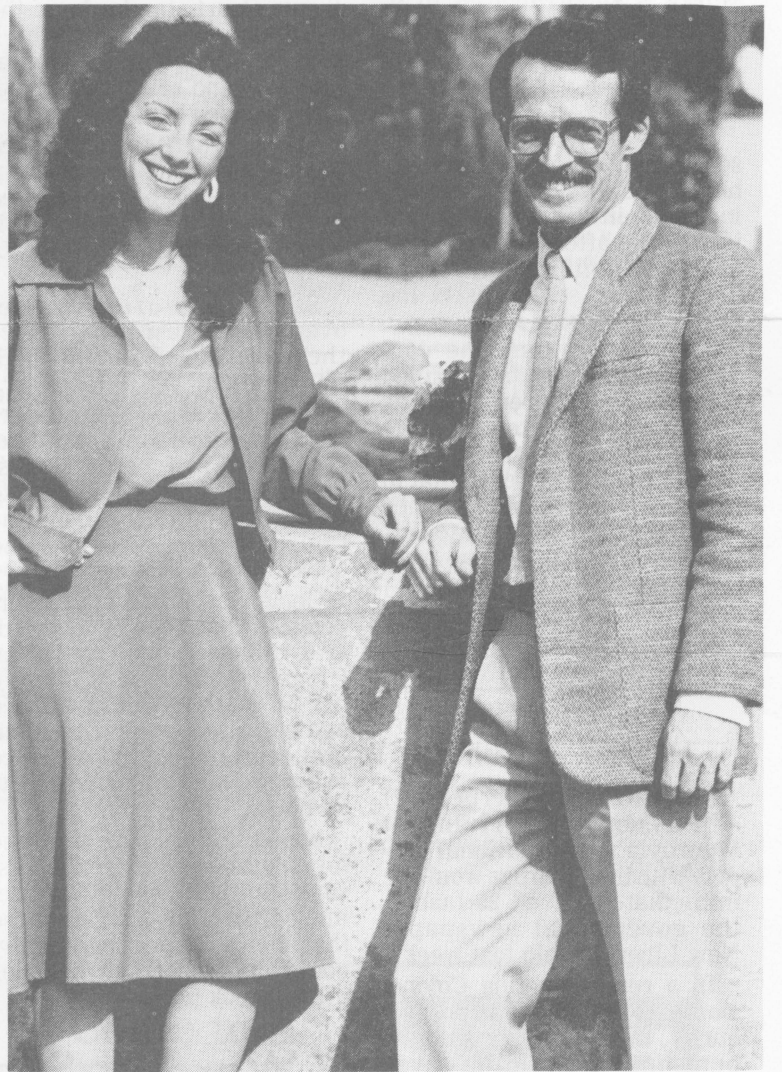
Each group contains approximately 16 members of all ages and races and are led by professional therapists and

psychology graduate student interns from local bay area universities.

Through these small groups, the members learn to interact and communicate more openly and honestly. They talk about the problems and conflicts of prison life, they explore their own attitudes and value systems, they look for alternative ways to handle situations.

The group provides a safe, supportive environment—an outlet for the release of stress

Continued on page 4



PEP DIRECTORS Patricia Frisch and Alan Emery

## Major State Prison Reforms Overturned

The U.S. Court of Appeals in San Francisco Monday threw out sweeping reforms at California maximum-security prisons that had been ordered by a federal judge last fall.

In a major defeat for the prison reform movement, the appeals court reversed an order by U.S. District Judge Stanley Weigel in a class-action suit involving about 3000 prisoners in San Quentin, Soledad and Folsom state prisons, and at the Deuel Vocational Institution.

Weigel's decision favoring the prisoners, made last November, outlawed "double celling," the involuntary pairing of two inmates in a single cell.

He also ruled that the "totality of conditions" for segre-

gated prisoners, those kept separate from the main prison population, constituted cruel and unusual punishment. He ordered more educational and recreational programs for the segregated prisoners, demanded medical care equaling that of the general prison population, recommended overnight conjugal visits for the inmates and ordered that segregated inmates have three hot meals a day rather than two hot meals and a bag lunch.

In addition, Weigel's ruling would have required that the inmates be given hearings to determine whether they could get out of segregation.

The state had appealed Weigel's decision, and the federal appeals court ruled that

Continued on page 4

## Assault on Max B Yard

A stabbing occurred in the Max B exercise yard March 13 at approximately 1:56 p.m., according to Mike Madding, prison spokesman.

Reports state that one of the gunmen watching the area observed what appeared to be a fight between two convicts. Two warning shots were fired, causing everyone in the area to disperse.

One prisoner was found to be bleeding profusely, having received one superficial cut in the temple and two in the chest area. He was taken to Neumiller Hospital for treatment, and one suspect was taken into custody pending investigation of the incident.

Initial investigation revealed that a 12-inch prison-made knife was apparently used during the assault.

## Two Short-Termers Flee Folsom Prison

FOLSOM (UPI) — Authorities searched for two inmates who, only months away from parole, walked away from Folsom Prison's minimum security area.

Reported missing after a 10 p.m. dormitory check were Paul Eugene Clinkenbeard, 26, and Eddie Ervin Layman, 46. Both men were from Stanislaus County.

Clinkenbeard was serving a five-year prison term for armed robbery. Layman was serving a two-year term for possession of illegal drugs for sale.

## WEEKEND MOVIE 'Saturn 3'

Farrah Fawcett and Kirk Douglas star as a pair of scientists living alone at a research station on Titan, Saturn's largest moon. Their carefree existence is disrupted by the arrival of Harvey Keitel and his robot, Hector. After Farrah spurns Keitel's charming advances ("You have a beautiful body. May I use you?") Hector gives new meaning to the word "rude." Rated R.

## MEXICAN MOVIE 'La Guerra De Los Sexos'

No story information.

Juan Montez  
251 Clorinda Ave.  
San Rafael, CA. 94901



# Tough Crime Measures Breeze Through Panel

SACRAMENTO (AP) — California's police and prosecutors have won a victory in the Senate Judiciary Committee that might be reflecting a law-and-order mood in the Legislature.

The committee Tuesday approved four law-and-order bills, including one to double some sentences in violent crimes, and another to allow items found in certain kinds of evidence in trials. There was little dissent.

- Among the measures:
- SB113 by Sen. John Doolittle, R-Sacramento, to add many years to the sentences for multiple or repeat felonies such as armed robbery, burglary using a gun, and voluntary manslaughter.
  - SB151 by Sen. Dan Boatwright, D-Concord, to add five or 10 years to sentences for certain crimes against persons over age 64, under 14, or the blind or disabled.
  - SCA7 by Sen. Robert Presley, D-Riverside, to stop California courts from going beyond federal courts in banning evidence from illegal searches or illegally obtained confessions.
  - SB209 by Sen. Milton Marks, R-San Francisco, to increase the deadline for prosecuting to six years after the crime for rape and some other sex crimes.

Doolittle had to narrow his bill somewhat to win 6-0 passage, but it would still allow drastic increases in sentences. The bill is modeled after a 1979 law that has given California by far the longest rape sentences in the nation.

At present, someone convicted of five counts of armed robbery on different victims could now be sentenced to 11 years, eight months. Doolittle's bill would increase that to 25 years — the basic sentence now for first-degree murder.

For five counts of night-time home burglary, the maximum sentence would jump from eight to 20 years.

Doolittle reluctantly agreed

## Drug Smugglers Will Get 25 Lashes

MONROVIA, Liberia (AP) — Passengers arriving at Monrovia's international airport with illegal drugs would be immediately given 25 lashes, the government newspaper New Liberian said last week.

In a report quoting Colonel Daniel Doe, chief of airport security, the newspaper said the punishment would be given before prosecution.

The measure was part of an effort to tighten security at the airport against increasing criminal activity, particularly drug smuggling.

## San Quentin News

USPS 480-700

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The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

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G. W. Sumner . . . . . Warden  
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# San Quentin Question Man

How do you feel about the massive cutbacks in educational programs in order to increase security?

Damon Michael: "I don't understand the need for more staff in the name of security if SQ is going to be locked down. It seems to me that educational programs are much more valuable than the need for increase of staff if the mainline population is less in number."

Randy Maluenda: "It's a bad trade-off and an unfortunate harbinger of chaos and intellectual stagnation. It rules out a probable expansion of an individualized and unstructured type of independent-study program for those highly motivated to go beyond the traditional methods of education."

Bobby Dale Earls: "Unfortunately, it projects the attitudes and priorities of the administration and especially the warden. The sad part is that should they continue to merely concern themselves with custody—rather than the opportunity to better one's self—they may eventually need this increased security to control him."

Martin Makelim: "The warden should be able to have the educational programs and the security—if this prison is run right."

Jimmie R. St. Clair: "It is ludicrous to assert that by denying an education to an inmate it will enhance the security of this institution. Convicts are less inclined to be frustrated by their surroundings when they feel and do accomplish their goals through education."

Gregory LeRue: "I am sorry for myself and the other positive-minded men in our education program, as well as those who have worked so hard to maintain a resourceful program. I feel there are many people hurt by the educational blow, which I also feel won't improve any situations here at SQ."

Brian Shipp: Personally, I don't see where San Quentin needs any more security. If something goes off, there are 20, or more officers at the incident. How much more security can an institution have? To me, school is something everyone can use for the rest of his life."

## Hire an Ex-con

to give judges the option of lower sentences in unusual cases for crimes that don't involve personal injury.

But opponents questioned whether it would get repeat offenders off the streets.

"Adding prison terms such as this does nothing to deter crime," said Michael Pinkerton of California Attorneys for Criminal Justice, a defense lawyers' group. He said the bill would require new prisons.

Boatwright called his SB151, also approved 6-0, the "Defenseless Victim Crime Prevention Act."

The bill would add five years to the sentence for robbery, sexual assaults or kidnapping against the very old, young, disabled or blind — instead of three years — for intentional infliction of serious injury during one of those crimes.

Boatwright originally proposed making the upper age limit 60, but raised it to 65 at the request of Sen. Robert Presley, D-Riverside.

Presley's SCA7, approved 6-1, was probably the most significant legally. It would prevent California courts from making independent interpretations, beyond U.S. Supreme Court standards, of the "exclusionary rule," which bans evidence from illegal searches and seizures or illegally obtained confessions.

The federal rulings, intended to discourage police misconduct, have long been criticized by prosecutors, who say it keeps reliable evidence out of court.

State legislation cannot overturn those rulings, since they are based on the U.S. Constitution.

But Presley's measure would reverse some more restrictive California rulings, and would require the state to follow any future U.S. Supreme Court decisions that rolled back the exclusionary rule.

One example of a state court decision that goes beyond federal rulings is the case of an illegal search against one person that produces evidence against a second person. Federal courts allow the evidence to be used but California courts do not.

Marks' bill on the deadline for prosecution in sexual assaults initially would have removed the limit altogether, so that such a crime theoretically could be prosecuted decades after it took place.

# A Word on Silent Defendants

WASHINGTON (UP) — The Supreme Court reinforced a criminal defendant's right against self-incrimination last week, telling judges to make sure that juries understand a defendant need not testify in his own behalf.

In an 8-to-1 decision, the justices ruled that, if requested, a state court judge must instruct jurors not to draw any conclusions from a defendant's decision not to take the witness stand.

Only Justice William Rehnquist dissented.

The ruling struck down the conviction of a Kentucky man who did not testify at his 1979 trial and was found guilty of burglary.

Lonnie Joe Carter challenged his conviction on the ground that the trial judge improperly turned down his re-

quest to tell the jury that a defendant has a right not to testify and that the jury should draw no conclusions from his decision.

"Jurors are not experts in legal principles; to function effectively, and justly, they must be accurately instructed in the law," Justice Potter Stewart wrote for the majority.

"The Fifth Amendment requires that a criminal trial judge must give a 'no adverse inference' jury instruction when requested by a defendant to do so," Stewart said.

Kentucky argued that earlier Supreme Court rulings indicate the court decided "to leave to the states the question of how best to handle the knotty problem of whether a jury should be instructed on a criminal defendant's failure to testify."

# LAW COLUMN

## Consecutive Sentence Must Be One-Third Middle Term

People vs. Jones, 80 Daily Journal, D.A.R. 2553; C.A. 2d Sept. 5, 1980

Defendant was convicted of escape (Pen. Code, section 4532, subd. (b)), robbery (Pen. Code section 211), and burglary (Pen. Code section 459. He was sentenced to the middle term of three years for the robbery and a consecutive term of two years for the escape. Sentence on the burglary charge was stayed pursuant to Penal Code section 654, and he was ordered to serve the sentence consecutively to a previous prison commitment from Stanislaus County.

Defendant contends the trial court did not state its reasons for making the Yolo County convictions consecutive to the prior commitment and that two years is an improper consecutive sentence for the escape.

I

We deal initially with defendant's contention that the two-year consecutive term for the escape is improper. He correctly asserts Penal Code section 1170.1 as authority for the contention that all consecutive terms must be one-third of the middle term provided for the offense in question. The proper sentence should have been one-third of two years or eight months.

Penal Code section 4532, subdivision (b), provides that punishment for an escape violation is 16 months, 2 or 3 years, to be served consecutively. A consecutive term for escape is made mandatory. Although the term is mandated to be consecutive, it is not reasonably inferable the Legislature intended the specific full terms provided in the statute be applied consecutively.

In this instance, section 1170.1 applies in the calculation of the consecutive term required for escape.

Had the Legislature intended the full term for escape be served consecutively to another, it would have declared section 4532 as an exception from the sentencing requirements of section 1170.1 subdivision (a) and provided for the service of a full consecutive term, as it did with the adoption of Penal Code section 667.6 subdivision (d).

II

Defendant's second contention that the trial court failed to state its reasons for imposing consecutive sentences is meritless. The following statement made by the trial court constitutes an adequate statement of reasons for imposing a consecutive sentence. "[Y]ou are not a suitable candidate for probation because you had been committed to state prison from Stanislaus County, and because of the crime of which you stand convicted in Yolo County involved violence and threat to do great bodily harm, and the victim was particularly vulnerable to your brutal conduct because she was alone in her home when accosted by you and your accomplice." (Emphasis added.)

That statement expressly articulates several of the criteria necessary for imposing consecutive sentences. (Cal. Rules of Court, rule 425(a)(1), (2), (3), and (b); rule 421(a)(3).) Furthermore, there is no prohibition to the use of the same facts stated for denying probation and thereafter imposing consecutive sentences. The trial court did state its reasons for imposing consecutive sentences.

III

An examination of the abstract of judgment discloses some confusion as to the sentence imposed. Error is not present, and the problem is addressed merely for purposes of clarification.

At the time of sentencing the trial court first imposed the three- and two-year terms in the Yolo County case, "making a total term of imprisonment five years which is to be served by you upon completion of the sentence imposed by the Stanislaus Superior Court in November 17, 1978." Thereafter, while explaining the sentence, the court stated: "Is giving him consecutive terms which means, as I understand the Law, that he'll get three years for [the] Stanislaus County robbery; one year for his Yolo County robbery; and two years for the escape." Both the docket entry and the abstract of judgment, however, only reflect the three plus two years' sentence imposed in the Yolo County case.

The proper sentence is three years for the Stanislaus conviction, a one-year consecutive term for the Yolo County robbery, and one-third of the two-year consecutive term for escape. A corrected abstract of judgment shall be prepared, filed and furnished by the trial court to the Board of Prison Terms reflecting the correct sentence as here set forth.

The judgment is affirmed.

## Educational Counseling

For those interested in attending school on the streets, academic and vocational counseling is available in the Community Resource Information Center (CRIC) on Wednesdays.

Suzanna Hart-Broughton, from the College of Marin, can be seen by appointment and sometimes on a drop-in basis. Contact Jim Wiles in CRIC in the library to set up an appointment.





By Jimmy Price

Getting out a printed paper is no big problem really. Anyone who can punch the keys of a typewriter, group the typed symbols to form recognizable words and arrange the words to form complete sentences, can usually crank out enough copy to fill these 300 column inches each week. That is not to say, however, that it will be worth reading.

Getting out a *good newspaper*, on the other hand, involves quite a bit more work. At the very least, a good newspaper should be informative — if not entertaining, thought-provoking and stimulating. And if that's not enough to deal with, it seems we must also strive to maintain standards of responsibility, accuracy and integrity.

Take as a model the Associated Press Managing Editors (APME) Code of Ethics, which states in part:

"A good newspaper is fair, accurate, honest, responsible, independent, and decent. Truth is its guiding principle.

"The newspaper should serve as a constructive critic . . . should vigorously expose wrongdoing or misuse of power.

Editorially, it should advocate needed reform or innovations in the public interest.

"The newspaper should background, with the facts, public statements that it knows to be inaccurate or misleading. It should uphold the right of free speech and freedom of the press and should respect the individual's right of privacy.

"The newspaper should strive for impartial treatment of issues and dispassionate handling of controversial subjects."

And so it was that I came into the office a couple weeks back to find our esteemed editor crouched atop the filing cabinets, snapping and snarling and sending puffs of foamy saliva flying about with each claw-swipe he took out of the air. Obvious case of stress at the breaking point. Getting out the News at all is often a headache in itself — *without* having to worry about quality.

Well, we finally coaxed him back into his white editor's coat and managed to get the sleeves secured again and his condition is now listed as stable. But we had to console him that things would begin looking up.

It says in our flag that the San Quentin News is published "by and for the men" of this prison. Not in my wildest fits of egomania could I pretend to speak for everyone here. If that were possible, the Guy in the Sky wouldn't have had to make so many of us. The whole idea is that we are *supposed* to have different perspectives on things.

The San Quentin News does welcome contributions from our readers in the way of feature articles, editorial opinions and letters to the editor. The News should be "a forum for the exchange of comment and criticism, especially when such comment is opposed to (our) editorial positions."

Readers' contributions should be *responsible, objective and within the guidelines set out here*. Letters and articles must bear the writer's name. All material submitted is subject to grammatical corrections and editing. It is also subject to censorship by the prison administration. As pointed out in several editorials, the San Quentin News is owned and operated by the California Department of Corrections.

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## Letters

Dear Editor:

With reference to the March 13, 1981, issue of the S.Q. News and specifically the letter sent in by the anonymous female who signed, "In the name of God."

First of all, I wish you had followed your policy of not printing unsigned letters. Knowing you as I do, I am sure you had no choice in the matter. I see it was addressed to the warden . . . that leads me to suspect that it was "ordered" to be included in "their" newspaper.

In reading the letter from Mrs. Anonymous I am inclined to believe that she must surely be an infiltrator from the Moral Majority. And it is obvious that her visits with her husband leave much to be desired. I say obvious because she apparently has nothing to do on her visits other than sit there and scrutinize the other convicts and their visitors.

She spoke of "open sex between inmates and their women." I wonder what she considers to be a sex act? I don't get many visits but on the occasions that I have been out there I noted a lot of old-fashioned kissing and hugging going on, but darn if I saw one uplifted skirt or dropped trousers. I enjoy pornography . . . I wish Mrs. Anonymous had mentioned where she and her husband sat.

As for "dope being smoked in open view of everyone" it truly amazes me that Mrs. Anonymous is so contemporary that she recognizes "dope being smoked" yet so Victorian in her attitude toward couples expressing their love in public.

Granted there have been several times where dudes who have no real respect for their women were way out of line in their actions and were beamed. But this constitutes a very small percentage of the population and would be seen in most parks or beaches out in the world.

Perhaps this anonymous prude would like to see a guard assigned to each table in the visiting room. I personally feel there are more than enough out there as it is.

I'm sure I speak for the majority of men in this joint when I say: "Please, Mrs. Anonymous — in the name of God — confine your visits to your old man and quit rubber-necking the rest of us.

"I don't know (and don't care) how much time your husband has to serve, but I am here for awhile. I do not need you nor anyone else to tell me and my lady how to act.

"I do not advocate public intercourse (nor any overt public sex-play) as I respect my lady too much for that. But on the other hand I go to bed each night desperately wanting her in my arms and I intend to reinforce that desire everytime I see her by holding her, kissing her and making sure that she knows her man loves her . . . and I would sincerely appreciate it if you and people like you would not interfere with that."

Oh! In closing I prefer NOT to remain anonymous.

Sincerely,

—Vince Smith B-17477

Send Home the SQ News  
For \$1.00 Per Year

Subscription forms are available at the front counter in the education department. These forms are to be filled out in duplicate and then submitted to the accounting department.

### IRS Counselors In Prerelease

Representatives from the Internal Revenue Service and the Franchise Tax Board will be available to the general inmate population between the hours of 8:30 a.m. and 2:30 p.m. on April 12. They will assist all interested inmates in preparing their state and federal income tax returns for filing.

Inmates needing assistance in preparing these documents are encouraged to sign up with the prerelease officer at the prerelease building to receive a ducat for an interview with these representatives. Inmates are also advised to bring with them all documentation, i.e. check stubs, W-2 forms, etc., when responding to their ducat.

The deadline for signing up with the prerelease officer is 3:00 p.m. March 30. Ducats will be required for an interview. No inmate will be seen without a ducat.

Dear Editor:

I have read the letter in the March 13 issue of the News. In this letter, which by the way was printed anonymously and against the policy of our paper, it was stated that our visiting facility is not up to par for visitors.

First of all, I'd like to ask what gives you the right to make changes in our paper and who do you really work for? This paper is for the convicts here at San Quentin. It is not to be used to justify further change within this prison. That is what's taking place in that article. Open your eyes; you'll see it. It won't be six months our visits will be taken for, it will be a year next time. Can't you see it?

Either you work for freedom of the press or get out of that position you're in. We can't have someone who is going to change his values because he is told to.

I always thought it was freedom of the press, not press for freedom?

Considering the uneasiness of the anonymous writer, my suggestion to you is: If you feel "uncomfortable and embarrassed" about so-called things taking place in our visiting room, then please don't put yourself through any nauseous predicaments and simply stay away.

We appreciate your article and will take into consideration any comments as well as suggestions if positive. We're glad you're thinking of our self-respect and health.

Since you're the one who printed this article against policy, we would appreciate a full retraction — unless a name is produced and proven to be true. Your word is good?

Respectfully yours,

Jack Morris C-6409

Antonio Tovar B-94968

Ed. Note — The letter in question was addressed to the Warden of this prison. It was submitted for publication by Mike Madding, public information officer and managing editor of this paper. We neither endorse nor dispute the claims made in letters. As stated, this was addressed to the warden and was allegedly written by a female visitor.

It is and will continue to be our policy to not print anonymous letters or contributions *when we have a choice in the matter*. The San Quentin News is owned and operated by the California Department of Corrections.

My function on the paper is primarily editing the copy prepared by the reporters and various contributors. My work involves correction of spelling, marking up of copy for the composing room, and making sure the paper comes out each week.

The "policy of the paper" is not necessarily determined by me. I personally object to anonymous letters being printed, period. As stated, however, the Man owns this publication.

Dear Editor:

As an ex-resident of the state of San Quentin, I was wondering if you could send me the San Quentin News?

I would also like to comment on the fact that San Quentin is 100 times better than this nut house I am doing time in now. I am presently in the Ellis Farm of the Texas Department of Corrections.

—Lou Asper, Huntsville, TX

Dear Editor:

Hi. My hopes are that someone will remember a Mister or Dr. William D. Osterbridge, who finished up his doctorate using anectine on Vacaville inmates.

I am looking for all pertinent evidence pointing towards the experimental programs he was involved in. This individual is now in Canada and in a position to continue his ideals. This is of some worry to both the people who officiate his job and concerned groups—both on the inside and the outside.

Also, I would like to inform your readers to exercise caution if they are considering returning to their native countries under the agreement made between various countries regarding the transfer and confinement of prisoners. As far as Canada is concerned, returning here from outside the country puts the prisoner outside the judicial system—giving the transferred prisoner no access to the courts.

Administrative, imprisonment is commonplace up here in Canada, and the denial of rights to certain types of prisoners is a matter fully accepted.

For those who may remember me from there, my recent life has been a series of failures and conquests. The women have treated me kindly, money has been in my pocket more often than not, and I own at least one three-piece suit.

I would like to have your paper once in a while, though such memories of SQ have never been favorable, and perhaps I'll never lose them. Even now I awaken quickly, light a match and listen to the distant sound of a gun going off or a scream.

Take care, and may whatever God there is watch over you kindly.

—Graham P. Burnett (nee), B-37065

Dear Editor:

Warden George Sumner, in a recent I.J. article, was quoted as saying that "the kind of guys we are getting now don't want to go to school" and that more men are staying in their cells all day.

I strongly disagree with these contentions! As a participant in the college program here, it is my observation that enrollment is as high as it ever was, although attendance is down due to the fact the two-thirds of the joint is locked down and the men don't have a choice about coming out or staying in.

The educational and vocational trade programs are the most important things CDC offers the men here. Without these programs, CDC has nothing to offer anyone that would benefit them, enhance their self-growth, and aid them in the transition from prison to society.

As a 17-year resident of various California prisons, I am sure I could find many areas where they could better utilize the funds and manpower they have, accomplish the same goals they say they are striving for, maintain security, and probably still end up with a surplus, without touching the educational budget!

—David W. Thies, A-87201

### Advice

*It is as easy to give advice to yourself as it is to others, and as useless.*

—Austin O'Malley

## Come to a Workshop

with  
Louis Lusietto  
of the  
Small Business  
Administration

## How to

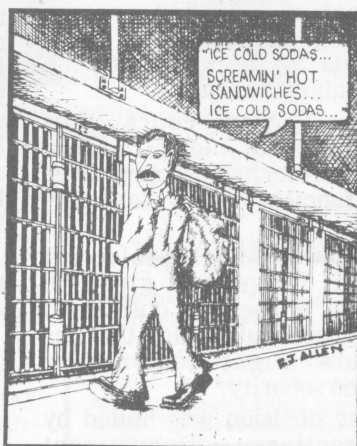
## start your own

## Small Business

Wednesday, March 25, 1981

9-11AM

Sign up in the Education Building





## Personal Expansion Program. . .

Continued from page 1

and tension. "it's a place where we can relax and talk without having to put up our guard," said PEP member Charles Silas.

The reasons for getting into PEP are as varied as they

been with the program for about 10 months, said it is the "first program I have seen in several years of doing time that is for the cons. When I say that, I mean that I can go into the group and talk about what I

self."

Another group member, Robert Dana, added that his experience with the program has given him "a better understanding of where I'm coming from and where I'm going. The group has helped me learn how to deal with problems and pressures that everyday life and particular people might try to push off on me."

And Bob Varricchio comments that the program offers "an opportunity to take a look at what it is about ourselves that lead us here."

Probably the best summation of what the PEP program means to the participants comes from Dave Thies, a clerk for the project. "To me," said Dave, "the Personal Expansion Program offers an opportunity to turn the negativity of being in prison into a positive learning experience."

### The PEP Staff

"The PEP people are really concerned and sensitive to helping the participants get in touch with themselves as individuals and become aware of unspoken, unshared feelings," wrote former member David Magris in a support letter to the program.

PEP intern Don Schneider, who has been with the program now for about nine months, told the News that he enjoys working in the groups and that he benefits from the experience as much as the prisoners.

"My function in the group requires that I be clear on my



PERSONAL EXPANSION PROGRAM STAFF — Christmas 1980

would be in any group. Some guys just get tired of the bullshit on the yard and the groups are an opportunity to talk about more meaningful things going on within a person. For others it is the realization of having to change some long-term patterns and habits.

A former PEP participant, Fred Duncan, described his life history where several of his relatives, childhood friends and numerous acquaintances throughout his life have followed a pattern of incarceration — a pattern that he himself has followed.

"Unless I make some changes," Fred admitted, "I'll continue with the same problems that have caused me to be imprisoned the last 10 years."

Rusty Pulliam, a current member, adds that the PEP program has given him "the time and place to work on areas of my life that haven't worked well for me in the past."

Other current PEP participants talked about what the program means to them:

James Hammond, who has

want to talk about—not what the Man in Sacramento wants me to.

"Admittedly, the program has to function within some guidelines—some of which I don't agree with—but it is still the only place in the joint where I can feel comfortable around



PEP PEER COUNSELOR TRAINING GROUP — in session.

people I don't really know except for those two hours a week."

Rodney Reynolds, a several-year veteran, touched on the more introspective aspects. "As a resident of San Quentin, I feel a special need to acquire more insight into myself, how I arrived in this place and how I'll make the necessary emotional adjustments to live a prison-free life when I leave here. I view the PEP program as being a positive catalyst between prison and the personal goals I've set for my-

own values and methods and that I give feedback to the others to let them know how they are to me. Sometimes, then, the focus comes back to me—we take a look at what I'm experiencing — and that's therapy for me. The acronym PEP applies to people on both sides.

"It's a humanistic orientation. It isn't about giving advice and laying trips on people, but helping people to recognize and make choices; it's about helping people to get in touch with the choices they have and

take responsibility for the choices they make.

"The group experience provides these men the space and the opportunity to look at themselves, look at what's working and what's not working for them in their lives," Don concluded.

If there must be one note of sadness to this article, it could only be that Jeannine Thornton, the PEP program administrator, will be leaving the

while to her."

This isn't to say, however, that the program won't be left in good hands. Joanna Duff — an equally warm and radiant person who began as the program's secretary about a year ago—will be taking Jeannine's place as administrator.

### The Road Ahead

The future of the PEP program in San Quentin is assured for at least another year. It has just recently been learned that the program will receive full funding from the San Francisco Foundation. Among other benefactors are Evelyn and Walter Haas and the Packard Foundation.

In the first such move of its kind, the PEP program will be extending its services to San Quentin's ranch in the form of a reentry program—including reentry services and group treatment.

As far as the program's continued function inside the walls, the News asked Patricia Frisch how the current trend towards lockdowns would affect the services of PEP to the mainline prisoners.

Patricia explained that with the additional stress and tension caused by lockdown situations, the program's function is just that much more crucial.

"We'll deal with it," Patricia said. "If we have to, we'll hold groups within the blocks. We are, for example, considering the possibility of holding a group in the east block for close-custody prisoners."

Beginning April 1, the PEP program will conduct a one-month-long recruitment of prisoners here. To sign up for an interview or for further information, call Joanna Duff at ext. 448 or see the officer at the front counter in the prerelease building. New groups are scheduled to begin May 1.

At a time when most of the publicity about San Quentin focuses on the violence and lockdowns, very little coverage is given to the positive work being done inside prisons. There are men inside who take their lives seriously and who are deeply committed to using their time in prison toward positive growth and change. The men in PEP are among them.

## Reforms Overturned. . .

Continued from page 1

conditions at the prisons do not violate the constitutional rights of inmates and sent the case back to Judge Weigel.

Weigel wrongly used the "totality of conditions" approach rather than concentrating on "specific" complaints by the prisoners, the appeals court said.

The lower court thus "ventured far into the realm of prison reform," stepping over the function of the state government.

In addition, the appeals court noted, Weigel had given no weight to "serious questions" by prison authorities that his orders might compromise prison security.

The decision was hailed by Corrections Department spokesman Phil Guthrie, who said officials already had reduced the number of inmates in double cells at the three facilities from 300 to about 40 and had planned to end all double-celling by next week.

"(We) won't rush to double-cell all maximum-security inmates, since we prefer to avoid this practice if possible," Guthrie said.

Bernard Zimmerman, an attorney for the inmates represented in the action, said they plan to appeal.

## Georgia Frees 1100 Prisoners

ATLANTA (AP)—About 1100 inmates were released from Georgia prisons and as many as 150 prisoners a month could win early release during the rest of the year to relieve overcrowding, officials said.

The inmates were freed about 8 a.m. from 60 prisons around the state, said Sara Engle, a spokeswoman for the Department of Offender Rehabilitation.

The state Board of Pardons and Paroles, reactivating a program that brought early release for 4000 prisoners in 1980, had commuted the remainder of their sentences last week and ordered them freed.

The board approved the

early release because overcrowding in state prisons and county jails had created a volatile situation.

The board also planned to release about 150 inmates a month to keep overcrowding at a minimum and prevent a federal court takeover of the prison system.

David Evans, commissioner of the offender rehabilitation department, said a prison construction program should relieve overcrowding by providing about 1000 additional beds by the end of the year.

The inmates who were freed yesterday were non-violent offenders within six months of their release date.

project at the end of this month.

Having been with the program since its inception four years ago, Jeannine told the News kiddingly that she's "done enough time here" and that she just wants to spend some time at home with her family for awhile.

"Jeannine will definitely be missed by everyone in the program," said Dave Thies. "She's been the one central figure here—always warm, open and positive, always encouraging everyone to let go of negativity and be free to grow. Jeannine will miss some things here too. She really enjoyed the interaction with the cons—that seemed to make it all worth-

## Women Can't Search Men

SALEM, Ore. (UPI) — The Supreme Court ruled last week that women guards in Oregon's male prisons cannot frisk the prisoners or observe them in the showers or bathrooms.

The decision upholding a lower court ruling came in a 1978 suit filed by male prisoners at Oregon State Penitentiary.

There are about 25 female guards in Oregon's prisons. Male guards are not allowed to search female prisoners at the women's prison.

Have a Date?  
Need a Job?  
CALL  
**S.C.O.P.E.**  
Ext. 453



# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 13

TAMAL, CALIFORNIA 94964

Friday, Mar. 27, 1981

## Wright vs. Rushen

# Court Overturns Decision; Ruling To Be Reconsidered

On March 13 the Ninth Circuit Court of Appeals overturned the decision of Wright vs. Enomoto — now cited as Wright vs. Rushen, et al., No. 80-4534 — and remanded it back to the Federal District Court for further consideration.

The following is a verbatim account of that ruling.

The issue is whether the district court properly issued a preliminary injunction mandating extensive changes at three California state prisons. Because we conclude that the district court did not apply the proper legal standards assessing the plaintiffs' probability of ultimate success on the merits, the entire preliminary injunction must be set aside. We remand the case to the district court for further proceedings consistent with our opinion.

### Background

The plaintiffs are a class of approximately 2,000 prisoners confined in administrative segregation in four California state prisons, Deuel Vocational Institution, Folsom Prison, San Quentin Prison, and Soledad Correctional Training Facility. Segregated housing within the California prisons is of various types, depending in part upon whether the inmate is considered a threat to others or a likely target for violence by his fellow inmates. The defendants are the wardens of the prisons and the California Director of Corrections. The plaintiffs sought relief on two claims. In Wright vs. Enomoto, 462 F. Supp. 397 (N.D. Cal. 1976), aff'd, 434 U.S. 1052 (1978), a three-judge panel convened pursuant to 28 U.S.C. § 2281, now repealed, granted relief on the first claim. The court concluded that the due process clause of the Fourteenth Amendment mandated various procedural requirements concerning placement in administrative segregation.

This case involves the second claim for relief, based on the Eighth Amendment's prohibition of cruel and unusual punishment. The plaintiffs obtained a preliminary injunction on Nov. 3, 1980, mandating changes in the conditions of confinement at three of the prisons, Deuel, San Quentin, and Soledad. The plaintiffs did not seek preliminary injunctive relief at Folsom. The district court based its decision on declarations of inmates, psychiatrists, and prison staff, depositions of the defendants, and photographs of the prisons. In its opinion, it reviewed the physical conditions, sanitary conditions, food services, educational practices, medical services, placement and retention procedures, and the psychological impact of confinement in the administrative segregation units of the prisons. The court did not conclude that any one condition amounted to cruel and unusual punishment. Instead, relying primarily on Laaman vs.

Helgemoe, 437 F. Supp. 269 (D.N.H. 1977), the court concluded that the totality of conditions under which the plaintiffs are confined warranted the issuance of a preliminary injunction.

The preliminary injunction is appended to this opinion. It orders six types of relief. Examples of the mandates of each part of the preliminary injunction follow. Part I addresses the physical conditions of confinement. It prohibits involuntary double-celling of inmates, an issue under review by the Supreme Court in Rhoses vs. Chapman, 49 U.S.L.W. 3322 (Nov. 4, 1980), and orders the provision of numerous supplies, such as a writing surface and a shelf in each cell. Part II addresses sanitary conditions and food services. It mandates daily cleaning of showers and requires three hot meals each day for inmates in administrative segregation rather than two hot meals and a bagged lunch. Part III primarily addresses recreational and educational programs, and requires prison officials to provide college level education courses and facilities where inmates may sit down and play table games in the exercise yards. Part IV requires that an inmate in administrative segregation be permitted to have overnight visits with spouses unless the inmate is given a detailed written statement explaining why he is denied this privilege and afforded a hearing to contest the denial. Part V requires that medical services be the same in an administrative segregation unit as in the rest of the prison. Part VI sets standards for retention in administrative segregation, requiring a hearing at which the prison officials must demonstrate that release from administrative segregation would endanger security.

A panel of this court stayed portions of the preliminary injunction on Nov. 30, 1980, and ordered expedited consideration of this appeal. The plaintiffs request that we dissolve the partial stay, while the defendants urge us to vacate the preliminary injunction. On Feb. 13, following briefing and oral argument, we continued the partial stay and ordered additional portions of the preliminary injunction stayed. We now vacate the entire preliminary injunction.

### Analysis of Eighth Amendment Challenges to Prison Conditions

A. The Fundamental Error of the District Court

A court issuing a preliminary

injunction must consider the probable outcome of the case and the balance of hardships to the parties. To obtain a preliminary injunction a party must show either a combination of probable injury or that serious questions are raised and the balance of hardships tips sharply in its favor. Los Angeles Memorial Coliseum Commission vs. National Football League, 634 F. 2d 1197, 1201 (9th Cir. 1980); Benda vs. Grand Lodge of the International Association of Machinists & Aerospace Workers, 584 F. 2d 308, 314-15 (9th Cir. 1978); Wm. Inglis & Sons Baking Co. vs. ITT Continental Baking Co., 526 F. 2d 86, 88 (9th Cir. 1975). The district court concluded that a preliminary injunction was warranted under the second phrasing of the test. It concluded that the plaintiffs raised serious questions as to the constitutionality of their confinement and that the balance of hardships tips sharply in favor of the inmates. Our standard of review is

Continued on page 3

## KQED Films Documentary On 'Politics of Punishment'

By B. Washington

On March 11 a KQED film crew came into SQ to interview cons for a half-hour documentary entitled "The Politics of Punishment." The film will be aired on April 27 at 8 a.m. and again on May 1 at 10 p.m.

Spencer Michels, a reporter for KQED and spokesman for the film crew, explained what they were hoping to find in SQ. Michels stated that, "Crime has become a very popular issue. The legislature is actively engaged in trying to stop crime by imposing longer prison sentences. What we're looking for here is the effect of those increasing sentences have on crime. We want to see just what programs are available here and how they aid in readying convicts for their return to society."

To get an in-depth view for the half-hour documentary, nine weeks of research are being done. Besides, dealing with the view from the inside, the documentary will also air the views of politicians, parolees, criminologists, sociologists, the Attorney General and S.F. Mayor Diane Feinstein. That city's recent violent crime wave has caused her to implement new deterrents to crime in her city.

The purpose of the documentary is to let the public see how complex the situation really is. Facts and figures contradict each other and nobody has the answer, but it's certain that longer sentences aren't it. Longer sentences only cause overcrowding and other difficulties. It'll be interesting to see just what the legislature plans to do about that.

# New Bills Aim At Criminals

Five bills aimed at the "habitual criminal" are getting hearings in Sacramento by the Assembly's Criminal Justice Committee.

Under current law, a person convicted of a crime gets one year added to his term for each prior prison term served. That enhancement goes up to three years per term if the previous crimes were violent felonies such as murder, rape, arson or kidnapping.

Feeling those numbers are inadequate, five Assembly members proposed bills that in general would give a person with two prior prison terms a life sentence with no parole eligibility for 15 years.

A person who has served three prior prison terms would get a life term with no parole before 20 years.

The Legislature passed a similar bill last year, AB3375 by Assemblyman Alister McAlister, D-San Jose, but Gov. Edmund Brown Jr. vetoed it.

Brown said laws already on the books to punish repeat offenders are not being adequately used. "For example, 75 percent of the repeat offenders sentenced to prison . . . could have been given longer sentences if the district attorney had so requested," he wrote.

## Job Opening For Reporter

There is presently a job opening for a reporter on the San Quentin News. The position requires Medium A custody, or better, and has a \$24.50 pay number.

Applicants should have an understanding of the English language, spelling, punctuation, and must be able to type. To maintain ethnic balance, a Chicano or black is preferred.

Reporting for the News has its benefits, and the addition of an outside advisor to the staff affords a unique opportunity to learn the fundamentals of good journalism. Each reporter will be expected to write an average of 100 inches (20 typed pages) of copy weekly.

Interested parties may make their applications by calling Mr. J. Stocker, vocational printing instructor, at ext. 304

## CORRECTION

In the previous issue of the News it was stated that representatives from the Internal Revenue Service and the Franchise Tax Board would be available for counseling and assistance in the prerelease building on April 12. This is an error. These representatives will be available on April 1.

## Messhall Incident Brings Warning Shot

A scuffle between two prisoners brought one warning shot in the north dining hall March 21, according to Mike Madding, public information officer.

One prisoner allegedly struck the other with a food tray, causing a slash on the victim's eyelid. A gunman observing the incident then fired the warning shot and the fighting went no further.

The injured prisoner was treated and released from the prison hospital and the incident is being considered a nonracial, personal dispute, said Madding.

The Department of Corrections said throwing a habitual criminal in prison for a time has a basic problem: a three or four-time loser is most likely nearing the end rather than the peak of his criminal career and imprisoning an old geezer accomplishes little.

The five sponsors are Assemblymen McAlister; William Ivers, R-Flintridge; Jean Moorhead, D-Sacramento; Dave Stirling, R-Hacienda Heights, and Jim Cramer, D-Upland, a former San Bernardino County district attorney.

The same committee also addresses two bills prompted by several recent well-publicized cases.

One, AB64 by Assemblyman Bill Lockyer, D-San Leandro, would increase by one-third the prison term for a crime if it were motivated by malice based on race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, sex or age.

The other, AB326 by Assemblyman Mel Levine, D-Santa Monica, would increase penalties for vandalism of churches, synagogues or cemeteries, such as painting Nazi swastikas. The current maximum penalty is a 366-day prison sentence, but the crime is often charged as a misdemeanor with a fine or shorter jail sentence. The bill would make the offense punishable by a 16-month, two- or three-year prison sentence.

The committee also has a bill that would deny probation to persons who commit crimes such as murder, robbery, kidnapping, rape, assault and battery against people riding on public transit vehicles.

The bill is AB18 by Assemblyman Doug Bosco, D-Occidental, and is supported by the United Transportation Union.

## Transfer Hearing Set for April 29

The Department of Corrections will conduct a hearing on April 29 to gather oral and written evidence or comments on its proposed regulation establishing classification on the basis of a point system and assigning prisoners to institutions on the basis of the number of points they have.

The Prisoners Union will be present at the hearing and will represent California's prison population. Representatives of the Union have urged all interested prisoners to write a letter and express their opinions to Ruth Rushen, Director of Corrections, 630 K Street, Sacramento, CA 95814. The Union also suggests that a carbon copy of the letters be sent to the Prisoners Union, 1315 18 Street, San Francisco, CA 94107.

### POPULATION COUNT 2,962

Friday, March 27

—WEEKEND MOVIE—

## 'MOTEL HELL'

Rory Calhoun, Nancy Parsons, and Wolfman Jack star in this movie that is both a horror film and a spoof of other horror films. This film is rated R.

Joan Lisetor  
251 Glorinda Ave.  
San Rafael, CA. 94901



# San Bernardino May Be Site of New Prison

By Vic Pollard

SACRAMENTO — The state is looking in earnest for a site for a new maximum-security prison in Adelanto, a little desert city in San Bernardino County — apparently the only place where a new prison is welcome, officials said last week.

Ruth Rushen, director of the state Department of Corrections, disclosed that negotiations have begun there because of community resistance near San Diego to plans for a facility that would initially house 1,000 male felons.

The new prison would be part of a construction plan aimed at eventually replacing the old cellblocks at San Quentin with facilities elsewhere.

A decision on whether to build in Adelanto is expected in about three weeks, Ms. Rushen told a state Senate subcommittee considering Gov. Edmund G. Brown Jr.'s budget request for \$27 million to plan new facilities.

Officials in Adelanto, a town of 2,700 in the Mojave Desert north of San Bernardino, have been running a hard-sell campaign to lure a prison there as a shot in the arm for the struggling local economy.

Until now, the department has been cool to the idea. Officials said they wanted a facility closer to a metropolitan area and it would be difficult to get people to work in the remote

location. Adelanto is about 80 miles northeast of Los Angeles by freeway.

However, Ms. Rushen said last week she changed her mind because continued community resistance to plans for a new prison on state-owned land at Otay Mesa, south of San Diego.

She told state legislators at a budget hearing last week that the department has not ruled out San Diego but has decided to look at Adelanto in view of the need to start construction soon.

Gov. Edmund G. Brown Jr. has been seeking funds and legislative authorization for new prisons for three years, warning that existing facilities will soon be overcrowded.

Department officials say Adelanto is the only community in the state that actively sought a new prison. Almost everywhere else the state got a hostile reception.

One site chosen initially was on the grounds of the existing California Institution for Men at Chino, but the local community indicated it had enough of correctional facilities and their problems already. The Brown administration was forced to promise former Assemblyman Bill McVittie of Chino that it would drop that idea.

"I think Adelanto is looking at it differently," City Administrator Pat Chamberlain said in a telephone interview. "We see it as a business or in-

dustry that can be attracted to the area. We need to attract new business or industry because up here, we almost have to live off of each other.

"It would put \$13.5 million a year into the economy of the Victor Valley."

She said officials have outlined a plan for a prison that would employ 550 initially.

There has been "very little opposition" to the idea from local residents, she said.

Adelanto officials have proposed a large area in the southwestern portion of the city where a prison site could be selected. "They could have adequate buffers there," Ms. Chamberlain said. "We feel that our growth will be to the north and west."

Ms. Rushen said the department needs "a minimum of 150 acres" for the facilities, but Ms. Chamberlain said local officials have been told the land needed could be as much as 250 acres.

Construction is likely to be a few years off. The first of the new maximum-security prisons to be authorized under the Brown administration's prison construction master plan is not expected to be completed until mid-1984. It will be on the grounds of the existing prison at Tehachapi.

The Tehachapi facility is designed to replace maximum-security units at San Quentin, which is scheduled to be torn down and replaced.

## Family Day Worship Service

The men of the institution are privileged to invite their fathers and mothers to attend Family Day Worship Service with them in the chapel of their choice Sunday, May 10. Before the service, the sons may accompany their parents to the dining hall for breakfast. Fathers and mothers planning to attend the breakfast and service must arrive by 7 a.m., May 10, to allow time for clearances prior to the chapel services and breakfast. No parent will be processed for this program after 8 a.m.

If you plan to come for the breakfast and the religious services, please do the following:

Fill out the bottom of this form (Section No. 2) and return it to the institution before April 27.

Fill out (Section No. 1) and bring it with you on Family Day; present this section when you sign in.

You must bring with you positive picture identification such as a California Driver's License or a Department of Motor Vehicle Identification Card. (Es Necessario traer una identificacion con fotografia como licencia de manejar o identificacion del Departamento DMV). This will enable us to plan for your visit in advance and avoid extended delays the morning of the occasion. If the form below (Section No. 2) is not filled out and returned in time, you will not be permitted to attend the breakfast or the religious service. (Si la forma (Section No. 2) no llega antes del 27 de abril, no podra entrar.)

After the service you may visit with your son in the area designated. At this time, other family visitors may join you. Nonparents must wait outside East Gate until breakfast and services are completed (approx. 11:45). Neither wives nor children or grandparents are authorized to attend the breakfast or service. Those who have accompanied you (family and friends) will be directed to the visiting area after the service is completed. *There will be no provisions for child care* during the breakfast or services. On this day, for faster processing, please leave your purse at home or locked in the trunk of your car. Wear as little jewelry (metal) to speed up passage through metal detectors. No blue denims, blue jeans, or attire similar to blue jeans should be worn. Inmates with Medium B and Minimum custody will be allowed to visit on lawn area adjacent to visiting room.

— G. W. Sumner, Warden

## Big Turnout at Sate Meeting

By Al Robinson

For the first time since nominations for Sate elections took place in February, east block prisoners were able to attend a Sate meeting on March 22. Not only was there a full house, but everybody present had a chance to participate.

Kalima Aswad, the new president, gave a brief update for the benefit of east block prisoners who couldn't make the earlier meeting. He explained the need for each block to have its own representatives and spokesmen, the organization's efforts to obtain community support, and plans to reestablish the Leadership Development and Legacy of Slavery classes.

Brother LaRue, education director, spoke on the changes that are taking place in the education department with the cutback in funds. He announced that he will be looking into the matter and make reports to the organization.

As the floor opened for discussion, many of those present expressed the need for much more support by the black population in general, as well as Sate being utilized as a vehicle to express the needs of the

black population to the administration.

There was strong interest displayed in the conditions of north block, as well as the lack of hot water in east and north blocks. The need for Sate to become self-supporting and be able to assist those just arriving at the prison with basic needs was also mentioned at some length. Others expressed the feeling that there is a definite need to extend ourselves to other black prisoners who are in a lockdown situation who are interested in self-awareness through education.

As the meeting was being brought to a close, Glenn Nance, who is an outside sponsor, spoke on Sate's preparation for Juneteenth Day celebration, his views that he had noted Sate was moving in a positive direction. He also said he thought there was excellent participation, but cautioned that everybody has to be involved in Sate, rather than an expectation for a few in Sate to do everything.

The Sisters of Motivation, longtime sponsors of Sate were also well represented, with Sisters Shukura, Sharon and Thelma present. Shukura, noting SOM's lack of financial resources, but desire to give all the support it can, asked what could they do under the circumstances. Kalima said communication is one of the primary needs black prisoners have. There must be contact with people on the outside to feed us with information about what's happening in our communities or we become locked in to this prison environment, and thus, keep us in a position where we are always behind.

The main theme of Sunday's meeting was to keep Sate moving in a positive direction and fulfilling the needs of black prisoner population, which was expressed very eloquently by Gigi Greenhouse, another outside sponsor of Sate.

The organization plans to meet again March 29.

## Vets to Lose School Checks

According to a Veterans Administration bulletin dated March 11 received by the News last week:

"The recently enacted law (PL 96-466) restricts payment of Veterans Administration education benefits to certain beneficiaries who are incarcerated or who are residents of halfway houses.

"In general, education benefits will be limited to the tuition and fees paid by the claimant. This applies only during the period of incarceration or residence in a halfway house.

"The actual amount payable will depend on why the person is incarcerated or in a halfway house. It will also depend on the cost of tuition and fees, and, in some cases, on the cost of necessary books or supplies."

What this apparently means to the small number of prisoners here presently receiving VA educational assistance is that assistance will be withdrawn at the end of the current school semester.

Under the current educational program here at San Quentin, prisoners are charged no tuition or fees, and the cost of the textbooks are paid by the state.

Even if there were a change in the costs to prisoners, the VA would still pay only those costs and the veteran would receive no cash payment himself.

As to what difference it would make why the person is incarcerated, this writer can not even guess.

## Muslim Sevices In Chapel Area

Masjid Muhammad San Quentin, of the American Muslim Mission, invites the general population to attend its religious sevices every Friday at 11:30 a.m. (Jumu'a) and Sunday at 9:30 a.m. (Islamic service).

Section No. 1 — Complete and bring with you on Mother's Day to present with your identification card.

Son's Name \_\_\_\_\_ A, B, or C Number \_\_\_\_\_

Parent's Name \_\_\_\_\_

Address \_\_\_\_\_

Section No. 2 — Complete and return by mail immediately.

I plan to attend the: Protestant ( ) Catholic ( ) Church of Christ ( )

Mother's Day Service

Son's Name \_\_\_\_\_ A, B, or C Number \_\_\_\_\_

Address \_\_\_\_\_

I will arrive at the East Gate by 7 a.m., on Sunday May 10.

Mail to: C. H. Wilson  
Activities Director  
California State Prison  
San Quentin, CA 94974

Mother ( )  
Father ( )

My Address is \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_



I'm not taking a bath because as a member of the Moral Majority I'm against anything that has to be done in the nude.

SanQuentinNews

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner ..... Warden  
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# Court Overturns Wright vs. Rushen Decision...

Continued from page 1

whether the district court abused its discretion. *Los Angeles Memorial Coliseum Commission, supra*, 634 F.2d at 1200. But a preliminary injunction will be set aside if the district court erred in the legal standards it applied in its review of the probability of success on the merits. *Id.* A court lacks discretion to apply the law improperly. *Benda, supra*, 584 F.2d at 314.

We hold that the district court erred in its use of the "totality of conditions" approach. This error led it to fashion a remedy embracing a broad range of prison reforms rather than tailoring its remedy to ensure that the requirements of the Eighth Amendment are satisfied. It used its perception of the "totality of conditions" as a key by which the door barring access to the operation of state prison by federal courts is opened widely to the plenary supervisory power of these courts. Properly used that perception should permit access only to correct those conditions necessary to eliminate the type of treatment condemned by the Eighth Amendment. The Supreme Court's admonition in *Bell vs. Wolfish*, 441 U.S. 520, 562 (1979), advising courts to avoid enmeshing themselves in the minutiae of prison operations in the name of the Constitution, is relevant.<sup>1/</sup> The Court cited with approval the Second Circuit's statement that "[a]n institution's obligation under the eighth amendment is at an end if it furnishes sentenced prisoners with adequate food, clothing, shelter, sanitation, medical care, and personal safety." *Wolfish vs. Levi*, 573 F.2d 118, 125 (2d Cir. 1978), cited in 441 U.S. at 529 n.11.

The teaching of *Wolfish*, which involved a federal facility, is even more appropriate here. The district court's preliminary injunction and opinion reflects little awareness of the admonition of *Wolfish*. The Supreme Court again recently displayed increasing sensitivity to federal court intrusion into state government affairs. *Sumner vs. Mata*, 49 U.S.L.W. 4133, 4136 (Jan. 21, 1980). This court has cautioned: "The federal courts should use great restraint before issuing orders based on the finding that the state has followed unlawful procedures in discharging the unenviable task of keeping dangerous men in safe custody under humane conditions." *Spain vs. Procuier*, 600 F.2d 189, 193 (9th Cir. 1979); see *Manney vs. Cabell*, \_\_\_\_\_ F.2d \_\_\_\_\_ (9th Cir., No. 79-3260, April 29, 1980) (petition for rehearing pending), slip op. at 2925. Rather than restraining its remedy to correcting Eighth Amendment violations, the district court in this case ventured far into the realm of prison reform. Prison reform, beyond the standards required by the Eighth Amendment, is the function of state government officials. See Robbins and Buser, "Punitive Conditions of Prison Confinement: An Analysis of Pugh vs. Locke and Federal Court Supervision of State Penal Administration Under the Eighth Amendment," 29 Stan. L. Rev. 893, 917 (1977); Note, Federal Court and State Prison Reform: A Formula for Large Scale Federal Intervention Into State Affairs, 14 Suffolk U. L. Rev. 545, 576 (1980). Therefore, the Preliminary injunction must be vacated.

B. Proper Analysis of Eighth Amendment Challenges To Conditions in State Prisons

"3. Some district courts have issued injunctions similar to the one challenged in this case based on a finding that the totality of conditions violated the Eighth Amendment. See, e.g., *Palmigiano vs. Garrahy*, 443 F. Supp. 956 (D.R.I. 1977), remanded, 599 F.2d 17 (1st Cir. 1979); *Fair, The Lower Federal Courts as Constitution-Makers: The Case of Prison Conditions*, 7 Am J. Crim. L. 119, 137-39 (1979). The Fifth Circuit has approved this approach. *Williams v. Edwards*, 547 F.2d 1206, 1211 (5th Cir. 1977). While the language used by the Fifth Circuit does not square with ours, we note that the conditions of confinement challenged in those cases were generally considerably more shocking than those challenged in this case. For example, the plaintiffs in *Williams* complained because the most dangerous prisoners, such as the plaintiffs in this case, were not segregated from the general prison population, leading to stabbings and forcible rapes. *Id.* Such conditions could be found unconstitutional in themselves.

"4. Most of the mandated changes are similar to the standards recently promulgated by the Justice Department in its *Federal Standards for Prisons and Jails*. (1980). As former Attorney General Civiletti stressed in the preamble, however, "these standards should not be taken to be a statement of constitutional minima." *Id.* at 1. See also American Bar Association Standards for Criminal Justice, *Legal Status of Prisoners* (1981).

"5. It is not clear from the district court's opinion whether the relief ordered in Part VI of the preliminary injunction is based on the Eighth Amendment or the Fourteenth Amendment. If that relief is based on the Eighth Amendment, the district court on remand should analyze the issue in accordance with this opinion. If it is based on the Fourteenth Amendment, the court should explain more fully why it is not required to reconvene the three-judge panel to consider that claim, as required by the saving clause in the Act repealing 28 U.S.C. § 2281, Pub. L. 94-281, § 7, 90 Stat. 1120 (1976)."

In analyzing a challenge to prison conditions based on the Eighth Amendment, a court should examine each challenged condition of confinement, such as the adequacy of the quarters, food, medical care, etc., and determine whether that condition is compatible with "the evolving standards of decency that mark the progress of a maturing society." *Trop vs. Dulles*, 356 U.S. 86, 101 (1958); quoted in *Estelle vs. Gamble*, 429 U.S. 97, 102 (1976), and *Spain, supra*, 600 F.2d at 196.2/ Any condition of confinement which passes this test is immune from federal intervention. If no challenged condition fails to meet the test, the entire facility and its administration are immune from Eighth Amendment attack. Of course, each condition of confinement does not exist in isolation; the court must consider the effect of each condition in the context of the prison environment, especially when the ill effects of particular conditions are exacerbated by other related conditions. Compare *Spain, supra*, 600 F.2d at 199 (outdoor exercise required when prisoners otherwise confined in small cells almost 24 hours per day) with *Clay vs. Miller*, 624 F.2d 345, 347 (4th Cir. 1980) (outdoor exercise not required when prisoners

otherwise had access to day room 18 hours per day). But the court's principal focus must be on specific conditions of confinement. It may not use the totality of all to justify federal intervention requiring remedies more extensive than are required to correct Eighth Amendment violations.

We recognize that a court may properly allow some margin of error when correcting violations and that it has broad power to see that its remedies are not frustrated by contumacious officials. But we reject the notion that a finding of a violation with respect to a specific condition of confinement entitles a court to fashion a remedy requiring prison officials to operate all aspects of their prisons in accordance with a design of prison reform accepted by the court as right and proper.<sup>3/</sup>

Our decision is entirely consistent with *Spain, supra*. In that case we considered the cumulative effect of related prison conditions, such as confinement in small cells nearly 24 hours every day, in approving an order mandating outdoor exercise: 600 F.2d at 199. We also held that the use of large doses of tear gas to remove obstinate prisoners from their cells, and the use of handcuffs, neck chains, waist chains, and leg manacles whenever an inmate left his cell, amounted to cruel and unusual punishment. *Id.* a 196. But we did not go on to order changes in diet, medical services, and other challenged conditions of confinement which by themselves did not constitute cruel and unusual punishment.

In addition, we note that the district court gave no weight to the defendants' protests that many of its orders would compromise prison security. Although the need for security does not justify cruel and unusual punishment, and while a court must not unquestioningly defer to prison officials' analyses of security issues, recent events make it all too clear that the security of prisons and their inmates is a genuine issue to which we must give attention. Before ordering remedial measures in a case challenging conditions of confinement under the Eighth Amendment, a district court should determine whether the remedy will impair prison security. If such impairment is likely, the court must give explicit consideration to the practicality of the remedy in light of legitimate security concerns.

A similar examination with respect to the costs to the state of its remedies should be made. Again, costs cannot be permitted to stand in the way of eliminating conditions below Eighth Amendment standards. However, a focus on costs will tend to stay the hand of a district court when its otherwise generally praiseworthy compassion might tempt it to adopt an unnecessarily expensive and comprehensive remedy. These security and cost impact analyses need not reflect the precision we expect from experts upon whose opinions state officials must rely in undertaking prison reform, but it must be made evident to a reviewing court that the district court did in fact focus on the impact of its remedies, even when cast only in the form of a preliminary injunction, on prison security and the resources of the state.

Finally, we note that nearly all of the district court's mandates are probably desirable components of a prison system.<sup>4/</sup> Chief Justice Burger

has recently urged improvements in prison conditions as part of an overall attack on crime. "New York Times," Jan. 9, p. 11, col. 3. Courts must diligently ensure compliance with constitutional requirements and with statutes designed to improve prison conditions. But courts may not institute reform programs on their own under the guise of correcting cruel and unusual punishment.<sup>5/</sup>

The preliminary injunction is vacated and the case is remanded to the district court for further proceedings consistent with this opinion.

## Footnotes

1. The Court stated: "There was a time not too long ago when the federal judiciary took a completely 'hands-off' approach to the problem of prison administration. In recent years, however, these courts largely have discarded this 'hands-off' attitude and have waded into this complex arena. The deplorable conditions and draconian restrictions of some of our Nation's prisons are too well known to require recounting here, and the federal courts rightly have condemned these sordid aspects of our prison systems. But many of these same courts have, in the name of the Constitution, become increasingly enmeshed in the minutiae of prison operations. Judges, after all, are human. They, no less than others in our society, have a natural tendency to believe that their individual solutions to often intractable problems are better and more workable than those of the persons who are actually charged with and trained in the running of the particular institution under examination. But under the Constitution, the first question to be answered is not whose plan is best, but in what branch of the Government is lodged the authority to initially devise the plan. This does not mean that constitutional rights are not to be scrupulously observed. It does mean, however, that the inquiry of federal courts into prison management must be limited to the issue of whether a particular system violates any prohibition of the Constitution, or in the case of a federal prison, a statute. The wide range of 'judgment calls' that meet constitutional and statutory requirements are confided to officials outside the Judicial Branch of Government. (441 U.S. at 562.)"

"2. We note that the plaintiffs believe that standards of decency have evolved considerably. It appears that the framers of the Constitution intended that the Eighth Amendment would proscribe torturous punishments such as public dissection. Granucci, "Nor Cruel and Unusual Punishments Inflicted:" *The Original Meaning*, 57 Calif. L. Rev. 389, 865 (1969). At the beginning of this century the constitutionality of whipping was questionable. Note, "What is Cruel and Unusual Punishment," 24 Harv. L. Rev. 54, 56 (1910). The recent case which ended the prior federal court practice of keeping "hands-off" state prisons, *Holt v. Sarver*, 309 F. Supp. 362 (E.D. Ark. 1970), *aff'd*, 442 F.2d 304 (8th Cir. 1971), involved a prison system with very few paid employees, in which prisoners guarded and abused other prisoners, and in which there were reports of whippings. 309 F. Supp. at 367. In the present case the plaintiffs argue that the denial of overnight visits with spouses constitutes cruel and unusual punishment.

## Letters

Dear Editor:

I'm writing this as a victim of the mass rearranging of prisoners in the CDC.

I was recently scooped up from Chino, where I was doing time. With only six months left on my sentence, I got to wondering when some of the prerelease programs would be available to me. I gathered myself up and decided to seek out a counselor. The best answer Sam Hill could give me was that he didn't have a folder on me yet.

As the weeks passed, I continued to observe people with much more time than I have receive ducats for work furlough and other prerelease programs. Even dudes who came here on the same bus with me. Many of these men don't even wish to take advantage of the programs — but I do.

Well, anyway, I didn't get much of an answer to my question so I decided to ask Mr. Winnie, a CCII. I explained the circumstance of my date, etc. I repeated that I wanted to take advantage of one of the programs, but the answer I received was less than encouraging. Mr. Winnie told me, "Well, you got screwed."

That's a hell of a note, eh? Just because I'm not from the area and my parole date was arranged at Chino, I can't take advantage of the prerelease programs here at San Quentin. I didn't even know I was coming here, and my counselor at CIM recommended that I do my time there. Well, the bus came and I was on it.

I have asked to be returned to CIM so I can take advantage of the programs down there, but the reply has been that I do not have enough time to go back to where I was in the first place. That's a hot one! If I have enough time to come here, why the hell don't I have enough time to go back for prerelease?

First they screw me out of weekly visits with the old lady by sending me hundreds of miles from home, and now I'm told there are no prerelease programs available to me.

In September I'll receive \$200, the boot, and that's it. Hundreds of miles from my home area — with enough money for a good meal, a few beers and a motel for the night. The system barks about an 80% return to these places, as if one of the reasons for the failure isn't clear. If you add dry lumber to a fire, the fire most certainly will get larger. Most people believe the current system is a joke. For the most part, it looks as though the joke is on the inmates.

— G. Birchard C-24310

Dear Editor,

Before we start getting a lot of silly responses to accusations of what has or has not been going on during visiting hours ("In The Name of God," last week), I'd like to put in my two cents worth: I've been a regular Tuesday night visitor for some time now, and I haven't been able to see anything going on. You can take my word for it, because I've really tried. Tuesday night is pretty tame.

Yours truly,

—David Ferguson

Dear Editor:

This is in regard to subscriptions to your tabloid, and to question journalism per se.

The issue is "fifth columnists" getting over on the unsuspecting public. They think they are getting an unbiased viewpoint but, in reality, they are paying for administrative bullshit.

In good journalistic practice you should rescind SQ News subscriptions so that subscribers to the rag won't be deceived into fattening state coffers. In case of a blackout, there's always the prison grapevine to cover highlights of institutional living.

— Valenzano, C-14375

Dear Editor:

My name is Cathy Murray and I visit prisoners on death row at San Quentin. I work with a group known as the Death Row Action Desk. We meet monthly to share our perceptions, needs and plans concerning our work on the Row.

The Death Row Action Desk is a small group of people visiting prisoners on death row. If anyone is interested in joining us he or she can call Cathy Murray at (707) 642-9523 or Carol Johnson at (415) 834-5656 — or attend our next meeting which will be held April 7 at 433 Jefferson St., Oakland, CA at 9:30 a.m.

— Cathy Murray

Dear Editor:

In regard to the anonymous letter printed in the March 13 issue of the News — objecting to the "open sex and dope smoking in open view of everyone" in the visiting room — I would like to state possibly that this lady would like to have her old man transferred so she could visit him behind the glass, as I have for a year now.

This way she could pay more attention to him, instead of the "adverse conditions."

— Sara Reynolds



# West Block Hosts Handball Tourney

Approximately 20 cons met on the west block handball court last Sunday in a tournament that left George "Bird" Burbage and Robert Holt in the winner's circle as the new handball champs of San Quentin.

Taking second place in the hard-fought tournament were Juan Ruiz and Larry Ayala. The third-place victory went to Manuel Salas and Tino Munoz.

The News regrets that we were unable to attend the tournament games and details of the playoffs are unavailable.

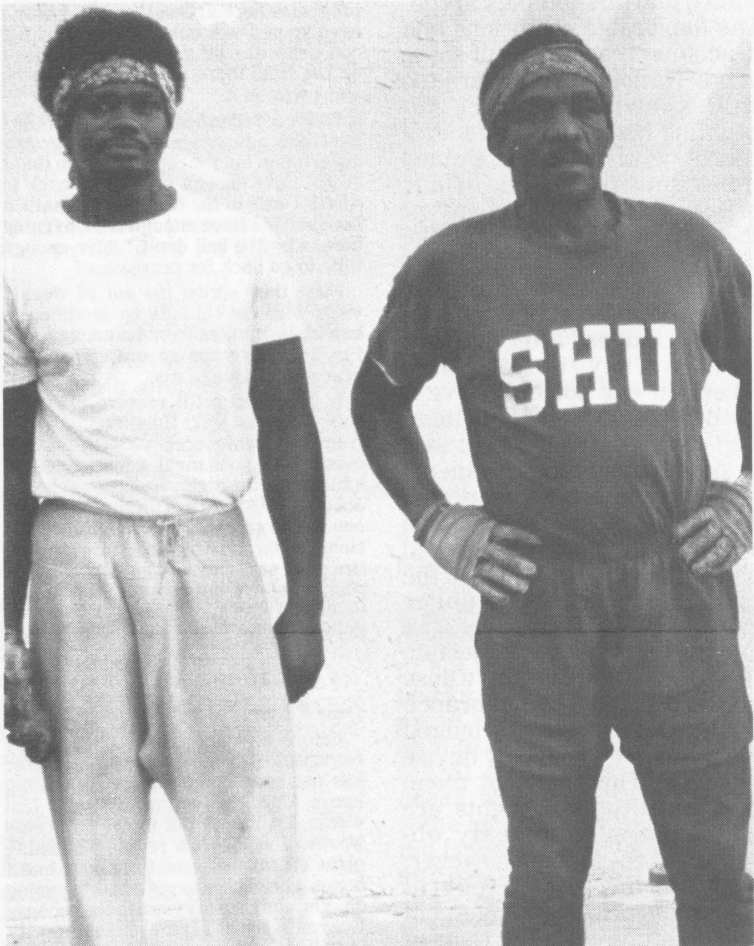
Other players in the tournament included Fernando Gonzales, Ray Garcia, Fred Shire, Milton Scott, Wayne Parks, Allen David, Huero Wilson, Tony Yrineo, George

Camarena, and Robert Slama.

Also playing, but identified only by last names were Yniquez, Hernandez and Vega.

Fernando Gonzales, who has coordinated these tournaments over the past year, would like to thank the west block staff for their cooperation and added that he hopes to schedule monthly tournaments in the future.

Again, we apologize for any name misspellings or omissions. We are presently without a sports writer but hope to have one by the next tournament. There was also a problem on the photo coverage of this event and those displayed here are about the only ones we could get to print.



NEW HANDBALL CHAMPS, Robert Holt and George Burbage.



WAYNE PARKS protects self from sidewall as he stretches to keep ball in play.



SECOND-PLACE WINNERS, Larry Ayala and Juan Ruiz.



FERNANDO GONZALES makes a precision return from the backcourt.

## VA Calls Insurance Dividend Story a Hoax

SAN FRANCISCO—"There is absolutely no truth to the stories circulating throughout northern California, picked-up by some newspapers, that veterans can apply to the Veterans Administration for a special insurance dividend," Paul D. Ising, Director of the San Francisco Regional Office, said.

These special insurance dividend rumors, or "hoax," as it is sometimes referred to, have occurred again and again throughout the country since 1969, Ising said.

In noting this, Ising appealed to all northern California veterans, members of service organizations, the Commissioner of Veterans Affairs for the

state and the media to help him put to death, once and for all, these special dividend rumors.

The rumors, or "hoax," continue to cause confusion among the veteran population of the state, and costs the VA approximately \$250,000 annually in manpower and postage at the agency's two insurance centers in St. Paul and Philadelphia.

There was a special dividend declared in 1948, Ising said, but all action was terminated on this special dividend by an act of the Congress.

Ising quoted 38 U.S. Code, Section 707 (b): "No claim by an insured for payment in cash of a special dividend declared prior to Jan. 1, 1952, shall be processed by the VA unless such claim was received within six years after such dividend was declared."

The only dividends paid now on government life insurance policies, Ising said, are paid to those veterans of World War I, World War II and the Korean Conflict who continued their government life insurance in force. Policies on which dividends are currently paid have one of the following prefixes: "K," "V," "RS," "W," "J," "JR," and "JS."

These dividends, declared annually around the first of the year, are almost always paid on the anniversary dates of in-force policies. A veteran holding such life insurance need not apply for the annual dividend as it is paid automatically.

## Hire an Ex-con

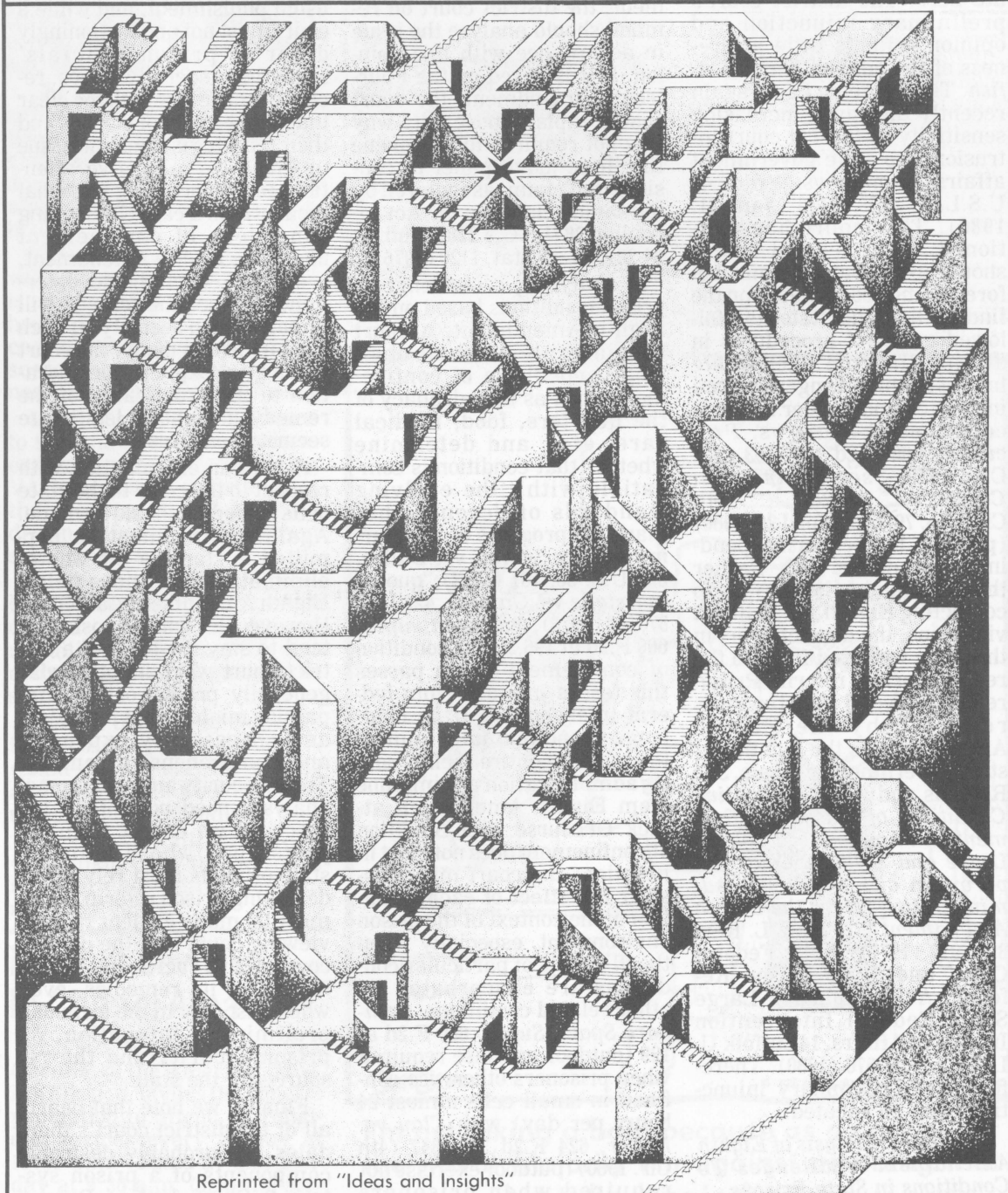
## Educational Counseling

For those interested in attending school on the streets, academic and vocational counseling is available in the Community Resource Information Center (CRIC) on Wednesdays.

Suzanna Hart-Broughton, from the College of Marin, can be seen by appointment and sometimes on a drop-in basis. Contact Jim Wiles in CRIC in the library to set up an appointment.

# MAZE

The starting point is near the top of the maze.  
Begin there and exit at the bottom right.



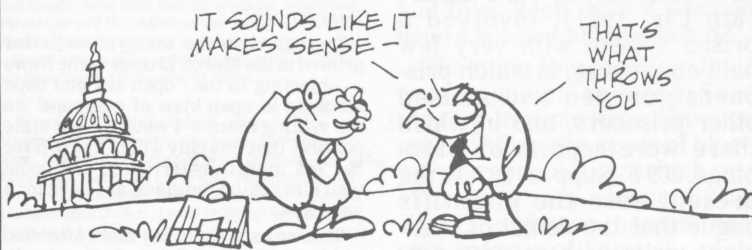
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## MAC Sponsored CHICKEN SALE

### Churches' Chicken

- ★ 4 Pieces of Chicken with roll .....\$3.00 box
- ★ Ice Cold Cokes .....\$ .35

Place your orders through the MAC Office before April 17  
Delivery will be made May 2





## Wedding Bells Toll In Garden Chapel

By Casey Burke

San Quentin's Garden chapel was the site of an inspiring Christian wedding last Tuesday. Joined in matrimony were Matilda Caranta and Frank Rocha, a very nervous, but nonetheless most charming couple.

The SQ News was in attendance at this truly joyous event at the request of the Rev. Howard in order to better illustrate the beauty of having a Christian wedding, with sincere hopes that other marriage-minded couples will consider the same type wedding.

Matilda and Frank have been going together for 2½ years. They met and started dating before Frank's incarceration. Their great love for each other and newly found life with Christ was the deciding factor for their Christian wedding. Raymond Marina gave the bride away and Ed Hiner was the best man. Chaplain Howard performed the wedding.

Rays of happiness radiated from the hearts of the charming couple as they spoke their vows of love, honor, and trusted devotion for one another. Unknowingly, each resi-

dent of SQ was touched with magical energy because of the intensity of the love vibes escaping from the Garden Chapel. Well, those of us that had on our awareness scanners that is to say.



MATILDA CARANTA and FRANK ROCHA, a happy couple after their wedding.

## Hire an ex-con

### Ex-Con Runs For Sheriff

A former San Quentin prisoner believes there is a whole new future for ex-cons—make county sheriffs out of them.

Leslie J. Richardson, a twice-convicted felon, recently announced his candidacy for sheriff of Jackson County, Ind.

Richardson said in a campaign announcement that he is "eminently qualified" for the office and lists the following qualifications:

- Two felony convictions; an escape from Indiana State Farm and a felony wife-beating conviction in California.

- Served time here at San Quentin and at an Indiana prison farm.

- For formal education he lists that he was "tested as having the equivalent of four years of college."

- Insofar as experiential education, he claims skills in a variety of fields from accounting to computers to the oil industry. He also proclaims "an extensive background in law enforcement and penology."

- With a heavy emphasis on his newfound Christian interests, he lists his hobbies as "religious and social writer" and his vocations as "politician and preacher."

- Richardson is apparently serious about his candidacy and asks voters "How many times have you elected a thief who in hindsight was a Dillinger who robbed you in more subtle ways?"

Where all the "honest" politicians turn out to be crooks these days, perhaps this "crook" politician might turn out to be honest.

## New Reporter Joins SQ News

The San Quentin News, having recently been left with two openings in its reporting staff, hired Ken "Casey" Burke as a reporter.

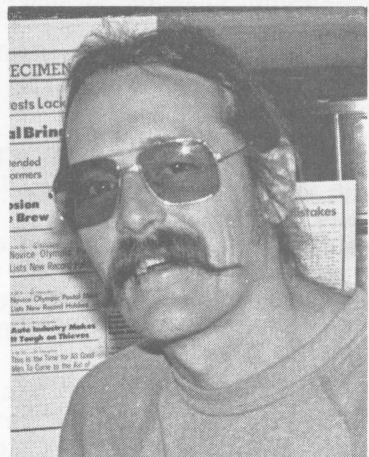
Casey, 29, who is from Castro Valley, will be furthering his interests in journalism and creative writing — while at the same time striving to bring an understandable and clear form of reporting.

Our new reporter is currently attending College of Marin courses during the evenings and is working towards an M.B.A. degree, while finishing out the remaining four years of his 10 year sentence. He will be applying his obtained business knowledge to designing more efficient agricultural systems of plant growth and food product distribution.

In his new position, Casey hopes to bring more human interest stories to the reading public. He welcomes ideas from both the members and staff of the "University of San

Quentin," as well as from members of the "free society."

Please feel free to contact him at the San Quentin News office via institution mail, or phone ext. 331.



CASEY BURKE

The News still has an opening for a non-white reporter. Applicants must have a working command of the English language and be able to type.

## Law Library Hosts Seminar

Mr. Meyer Halpern, Marin County law librarian, has indicated he is interested in coordinating another law seminar for SQ prisoners. He has contacted the institution's senior law librarian, assuring him there are enough seasoned lawyers and law students who are willing to volunteer their services.

A successful law seminar was conducted here in 1975. It was Halpern's enthusiasm that inspired the participants to learn how to do legal research properly.

Mr. Halpern is a graduate of the Lincoln University Law School in San Francisco. He holds a Bachelor of Laws degree and has successfully administered the program of the Marin County law library for several years.

Sessions will be conducted on the first and third Tuesday of each month. This will cover a period of four months for a total of eight sessions.

Those having custody for night movement and wishing to participate, sign up in the law library. Anyone not having custody for night movement can participate by correspondence. Send all questions for the panel through institutional mail to the law library.

### POPULATION COUNT

2,975

Friday, April 17

## Holiday Masses at Catholic Chapel

Father John O'Neill announced there will be a Holy Saturday Mass and confession at 10 a.m. Saturday.

He said also that Easter Sunday Mass will be at 9:30 a.m. in the Catholic chapel.

The Catholic chapel staff welcomes all who can attend.

## On Lower Yard

## Minor Scuffle Slams Mainline

San Quentin was placed on total lockdown status April 12, following an incident between a white prisoner and a black prisoner at 9:50 a.m. on the lower yard, said a spokesman for the warden's office.

Information Officer Mike Madding said that the lockdown was ordered as a "precautionary measure" because of the racial difference between the two men. He indicated, however, that subsequent investigation revealed the incident to be a non-racial, personal dispute.

Madding offered the following account of the incident:

The black prisoner was jogging around the ballfield and the white prisoner was involved with baseball practice. Apparently they "bumped into each other" and a verbal argument took place, after which they each went back to their separate activities.

When the jogger had taken another lap, however, they met again and reportedly renewed their argument. In the heat of the dispute, the ballplayer then allegedly assaulted the jogger with a baseball bat.

A loweryard gunman observing the incident then fired one warning shot from his Mini-14 rifle. When the assailant did not respond, the gunman then fired five more rounds into the nearby ground and halted the incident.

## Chicanos Freed — SQ Unlocks Again

After nearly a week on lockdown, the Mexican-American population in the east block was released April 14.

The entire east block population had been placed on lockdown status April 8 due to information received by staff that "an inmate was going to be killed," according to prison spokesman Mike Madding.

That information was apparently investigated and the threat was felt to no longer exist.

The lifting of this lockdown status meant that the entire mainline population was back on normal schedule again.

## 10 Rounds Fired; Seven Cons Shot

A total of 10 rounds were fired by gunmen covering the C Section yard April 9 to break up a fight involving six prisoners, according to a prison official.

Mike Madding, prison information officer, said that four warning shots were fired when two white prisoners were observed being attacked by four other white prisoners during yard exercise.

Six rounds of birdshot were then fired, striking all six men, said Madding — who added that another nearby prisoner was also struck by several pellets.

One of the men involved in the incident suffered a cut on the lower buttock and upper back part of his leg. Madding said that a piece of broken mirror found at the scene was apparently used to inflict this injury. No other weapons were reported found.

All but one of the men were treated and released from the prison hospital that day. The one man was held another day for observation. Madding said that the incident is being treated as a personal dispute.

The victim was admitted to the prison hospital and treated for contusions of the back, shoulder and side of his face. He also suffered a broken thumb. He was released from the hospital the following day.

The assailant was placed in a lock-up unit.

Because the incident was determined to be a non-racial dispute, the west block was released from the lockdown that evening and the remainder of the mainline population was released the next day.

## Tennis Tourney Set for Weekend

The first West Block Semi-Annual Tennis Tournament will be held over the Easter weekend, April 18 and 19, beginning at 8:30 a.m.

Participation is open to all mainline prisoners. Sign-ups are being taken by George McKinney, 1-W-12, the tournament director.

Prizes will be awarded. The tournament is sponsored by the recreation department and the west block.

## Package Slips Unavailable

There seems to be no quarterly package authorization slips available around the institution.

Until new slips can be obtained, Sgt. Kennedy at receiving and release has advised the News that prisoners should have their family or friends simply mark "No Package Slip Available" on the packages.

All packages clearly marked in this way will be accepted, said Kennedy.

## Movie List 2nd Quarter, '81

Apr. 11 — "Casa De Las Palomas," (Mex) PG, 90 min.  
Apr. 18 — "The Idolmaker," PG, 119 min.  
Apr. 25 — "Schizoid," R, 89 min.  
May 2 — "Shogun Assassin," R, 86 min.  
May 9 — "Roadie," PG, 106 min.  
May 9 — "El Circo De Capulina," (Mex) PG, 89 min.  
May 16 — "Flash Gordon," PG, 110 min.  
May 23 — "The Gong Show Movie," R, 89 min.  
May 25 — "California Dreamer," (Hol) R, 92 min.  
May 30 — "The Big Red One," PG, 111 min.  
June 6 — "Scanners," R, 94 102 min.  
June 13 — "Private Benjamin," R, 110 min.  
June 13 — "Flor De La Mafia," (Mex) PG, 91 min.  
June 20 — "Bad Timing," R, 120 min.  
June 27 — "Hollywood Knights," R, 91 min.

## WEEKEND MOVIE

## 'The Idolmaker'

This film is about the music business in the late 1950s and early '60s; it shows how teen idols were created, promoted, and discarded by fast-buck artists cynically manipulating the young audience. Stars Ray Sharkey. Rated PG.



# Early Release To Ease Prison Overcrowding

SACRAMENTO (AP) — A state senator is proposing early release for some prisoners to relieve overcrowding in state prisons, but officials said today they question whether that would help maximum-security facilities like San Quentin.

The proposal was made by Sen. Nicholas Petris, D-Oakland. He said his SB855 would help avert prisoner uprisings by defusing potentially explosive overcrowding without jeopardizing public safety.

The measure would require the release of lower-security-level youth and adult prisoners 90 days before their parole dates when prisons or Youth Authority institutions exceed 90 percent of capacity.

If the institutions were still over that limit, releases would be moved up to 180 days before parole dates.

The bill is supported by church groups and the Committee Against More Prisons.

The state prison system for adults now has 24,803 prisoners in facilities designed for 23,514. The Youth Authority has about 5,500 youths in institutions built for a maximum of 5,200.

Phil Guthrie, Department of Corrections spokesman, said today that he doubts the measure would be of great help in institutions like San Quentin. He said the department already has policies of putting low-risk prisoners in minimum-security facilities like prison camps and increasingly in work-furlough programs, including one in Oakland.

Guthrie said the worst conditions are at the maximum-security prisons like San Quentin. He doubted whether

men with histories of violence and long sentences could be put into the camps.

Thus the result of an early-release program might be empty beds in minimum-security prisons and continued overcrowding at San Quentin, Folsom and other maximum-security prisons.

Guthrie said 60 percent of those in prison in California are serving time for robbery, rape or murder.

Another legislative measure has been introduced to ease overcrowding in the state's county jails, many of which are targets of lawsuits alleging violations of health and safety standards and failure to provide equal facilities for women.

The \$280 million construction and renovation plan came from Sen. Robert Presley, D-Riverside.

But Norma Lammers, executive director of the state Board of Corrections, told a hearing chaired by Presley that the counties need about \$500 million to bring jails up to proper standards.

The hearing of jail subcommittees of the Senate and Assembly was being held to recommend rules for doling out \$40 million in Brown's proposed budget for jails. The governor deleted the same amount from a bill last year but agreed to put it in his new budget.

The legislators suggested that counties be required to put up at least 10 percent of the money for a jail project and match another 15 percent with recent expenditures on jails or alternatives, such as work-furlough programs.

## Reentry Program Spurs Opposition

State corrections officials have begun moving prisoners into an east Oakland convalescent home they plan to convert into a rehabilitation facility, over "substantial opposition" from Oakland residents and City Hall.

Nine prisoners were moved into the former St. Joseph's Home for the Aged at 2647 East 14th Street to the surprise and anger of city officials and nearby residents.

Corrections officials said that up to 150 state prison inmates will occupy the facility in coming weeks.

The prisoners' occupancy capped a weeks-long controversy over the state's expressed desire to use the site for a corrections department reentry program.

According to City Council member Wilson Riles Jr., the East Oakland community had

residents are concerned about security," Riles said. He added that there were also questions raised about the process of screening the prisoners who would be admitted into the rehabilitation program.

Riles said several groups that had tried to acquire the building had been told it was not earthquake-safe.

James Roten, director of the corrections department reentry programs, conceded yesterday "there has been substantial opposition from the beginning" to setting up the rehabilitation facility at the 14th street site.

But Roten said state corrections director Rushen met with an advisory group made up of community residents last Monday "and decided on the basis of that meeting to proceed with the project."

The City Council was notified by Oakland Police Chief George Hart at its meeting last week that prisoners had been moved into the building.

Several members of the council were shocked "at the way all of this was done," Riles said. He said the council felt that state officials had ignored their opposition to the location of the program.

Additionally, the city planning director has refused to issue a zoning permit to the program—a permit the city insists is needed to place a correctional facility in that neighborhood.

However, state officials

### Grand Jury Report:

## Pay Prison Nurses More

The wage scale for nurses at San Quentin's acute-care hospital should be increased to counter chronic shortages in staff, the Marin County grand jury has recommended.

According to a report, released last week and signed by Grand Jury Foreman Benton A. Sifford Jr., wage scales at San Quentin's Neumiller Hospital are not competitive and should be increased because of the "dreary, oppressive and depressing atmosphere at San Quentin, coupled with profane, hostile and often violent prisoners."

This has put the hospital at the "bottom of the list of desirable places to work" for nurses, the report states.

It says that the state, in a "Band-Aid attempt" to obtain nursing staff, has contracted with two local nursing employment agencies to fill five vacancies on the 24-member nursing roster. The state is paying the agencies \$1,700 a month for their services.

The document does not recommend what the pay for prison nurses should be but says that registered nurses at other local hospitals average

### One Man's View

## Portrait of a Lifer

By David Pocrnich

Anyone who's ever done serious time in a heavy joint — a maximum-security prison — will tell you that one class of prisoner stands completely apart from all others, he is the lifer.

So different is the lifer that any attempt to speculate upon his thinking and feeling after years of uninterrupted confinement is impossible without some appreciation of what it means to be confined behind the walls for good.

Some lifers' families, expecting an eventual release, thought of redecorating so they could welcome their loved ones home to start life anew amidst cheerfully repainted walls, brand new carpeting, and color-coordinated draperies.

If so, they were mistaken. A lifer holds in his mind a detailed picture of his home as he knows it. A vision into which he can and does escape to dwell for hours in imaginary union with his family. He loves those faded drapes, that familiar worn carpet, even the sound of the cranky old refrigerator. He yearns to see, touch, hear and smell them once again; it's

\$1,800 a month.

According to Mike Madding, prison information officer, the salary range for registered nurses at the prison hospital is \$18,936 to \$24,048 a year.

The report also warns that the state prison system may be courting danger if more psychiatric care is not provided for San Quentin inmates.

It blames an increase in psychiatric problems on the practice of double-celling inmates in small cubicles because of lack of space.

In addition, the manpower shortage at the hospital forced the closing of its 14-bed psychiatric unit.

Inmates with mental problems are supposed to be sent to Vacaville Prison Hospital, but in the four months since the unit was closed only four inmates have been accepted at Vacaville.

Many more are in need of such care, the report quotes hospital and prison officials as saying.

It adds that a state Department of Corrections official hopes that beds will be added at Vacaville sometime this month to help relieve the problem.

part of the reward he promises himself if he ever returns home. Change any of those things and, no matter how he praises what has been done, he'll feel cheated and his real reaction will run from disappointment to resentment strong enough to be expressed in unconcealed rage.

But most lifers feel they're never coming out and what they remember of home is long gone. Lifers don't live mentally on the outside. Physically and mentally, they dwell exclusively inside. They own their prison, possessing it as much, if not more, than it possesses them. It constitutes their universe. The sun and moon do not exist until they are above the wall. A lifer can glance at the shadow of the sun on his wall and tell you the month, week and time of day. It is any change there — in prison — that the lifers resent.

It isn't that the lifer doesn't care about the rest of the world. (For him there is no other world.) Only what happens inside has any importance because that is the only life he has — or ever will have.

A nonlifer has no right to disrupt the environment of a lifer, because he's just there temporarily. Someday he will leave — even if it takes 10 years — but the lifer never will. So the lifers' claim upon the prison is infinitely superior.

A lifer knows every little collection of mineral residue built up on the wall over the years because he's watched it build up, grain by grain. He has so adapted to the prison, that any change at all is disturbing. His life's rhythm is attuned completely to his prison.

Guards are nothing to him. They have no human meaning — first, because they are guards and cannot be accepted into his company and, second, because they come and go.

For the lifer, time governs his life. Someday he will govern time.

### Laws

*We enact many laws that manufacture criminals, and then a few that punish them.*

— Benjamin R. Tucker

## San Quentin Question Man

**How do you feel the living conditions in your cell block could be improved?**

**K. Burke:** By making available more single cells.

**Jesse Casanova:** To begin with, I think everyone here should have his chance to have a single cell. Also, I think we should be able to enjoy cable TV programming. I'm sure the majority of us would rather see a movie on TV instead of walking to the north dining hall. Especially since half of the time we never get to see the movies — because of lockdowns.

**Larry E. Jones:** I feel that all the blocks need individual circuit breakers and a complete electrical overhaul. One or two breakers for a tier just isn't enough! Plus, some of the cells you move to during your stay here are real dangerous!

**F. J. Allen:** By explaining what noise pollution is to some of the long-winded \*!/?!!'s who enjoy the sound of their voice over the loudspeakers.

**Jay Capra:** Co-educational double ceiling, and maybe even wash the windows once in a while so we can see out.

**F. L. "Wizard" Hutts:** We who live here should find a way to agree amongst ourselves to hold the noise level of the cell blocks to a minimum. Lockdowns should not be used as a security measure for anything other than the most serious disruptions.

**Steve Miller:** For jail its ok, but it's hard to stand by and see your neighbor slammed for no reason other than petty personal games played by staff. It could be improved if staff could find a better form of entertainment than playing games that only help put tension and hatred in a man's heart. We already have enough problems of our own to deal with. We don't need more from the bulls!

**Albert Ellis, Jr:** Hot water should be installed in each cell. The guards should do their job and quit harrassing the convicts. In other words, quit producing problems. Also, stop double ceiling. These cells are far too small for double occupancy.

**Raymond Mack:** Many residents presently living in the west block are frequently subjected to demeaning reports and infractions (which has an adverse effect on those presently housed in the west block). In order to improve conditions, I would hope that assigned staff and their respective counterparts would take into account that with the new changes and recent directive to make SQ a lockup, maximum prison — using those inmates for institutional job assignments and SQ's overall work force — many of the presently-assigned staff are constantly subjecting those of us to meager write-ups and disciplinary reports. The greatest change or improvement needed here is to evaluate the performance of those assigned as correctional officers in such units is to rotate those officers periodically, rather than compound the problem.

**Bart Chandler:** In west block one of the main negative factors is the trouble of leaving from the block to get to work. If the back ramp (kitchen ramp) were left open for entering and exiting the block, it would greatly improve the conditions.

### San Quentin News

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The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

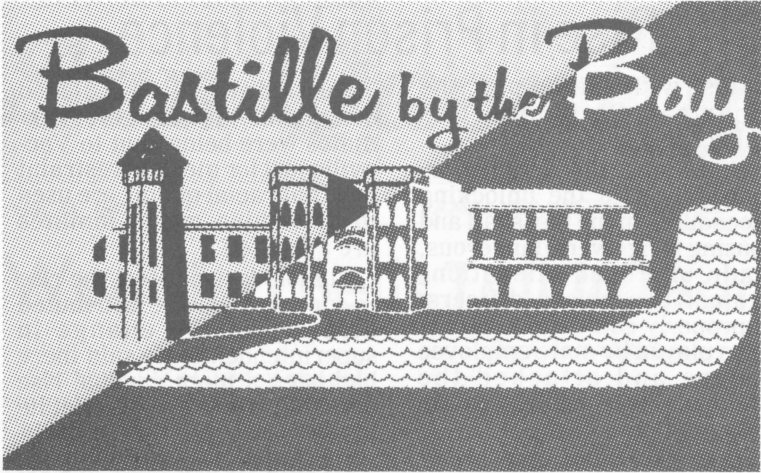
Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner ..... Warden  
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By Joe Morse

This has been one of those weeks so don't expect anything witty this time around, folks. A solid week of failure after failure tends to be exhausting, and I feel like I was just chased 12 miles by a gay sumo wrestler.

Ever have a rotten week? Well, mine was rottener than yours believe me. The run of bad luck began five days ago — when I was told of my annual appearance before the Board of Prison Terms.

“Aha!” I cleverly chuckled. “I think I'll do a profile about myself in this week's paper. That way the board will be stunned by my innumerable qualities and give me a RUAPP.”

I quickly put my plan into operation. I assigned the best writer on the news to write up a profile, listing some of my positive achievements. I even called in the cameraman to do a full spread of flicks of me in the process of happily being rehabilitated.

Amazing how such a well-thought-out plan can go awry so quickly. Would you believe that the fool I assigned to write my profile spent three days researching — and claims he could find nothing positive in my jacket to write about? And this dummy calls himself a reporter.

Well, I still had my pictorial spread being developed. Or at least I thought I did. I must have a few kinks in my karma or something. It's either that or an outright conspiracy — and right now I tend to think the News staff isn't capable of formulating a conspiracy.

If my comments about the News staff seem harsh, It's because they're intended to be. Who the hell feels obligated to use a civilized tone when speaking of a cameraman so stupid he forgot which container he set his pruno up in and ended up trying to develop three rolls of film in some fermented tomato puree?

Life sure ain't easy for the weary editor of your local rag. My PR play went up in smoke, so it looks like I make another appearance — minus the planned fanfare. I'm sure it will prove to be just as interesting an experience as it was the other eleventeen times I've gone in to throw myself on the mercy of the Board. I might have to try another approach one of these days. Instead of mercy, each year I'm given a new set of brogans and told, “Try again when you wear these out.” That's always the tipoff. When they tell me that, I usually start thinking I may not have presented my case well enough.

Things will be different this time. I'm taking a lawyer in with me. Not just a lawyer, mind you. This dude is supposed to be some well known mouthpiece from Pismo Beach, the renowned haven for lawyers and other shysters. The guy must be a real scrapper. One news clipping I read said he was the only lawyer in history to ever lose a client to the gas chamber on a burglary charge. There's no way in hell some run-of-the-mill lawyer could even attempt such a feat. Anyway, you can all rest assured that I'll be in good hands.

April 21 is the fateful day. I'll keep all my devoted fans posted as to the results. Till then, I'll take this opportunity to thank the people who sent in letters of support. The two from friends in segregation provide a great deal of insight. My other letter of support doesn't say as much, but perhaps the board will take into consideration the circumstances under which it was written. It's not easy to write a proper letter of support running from the FBI for nine counts of bank robbery.

\* \* \*

Our phone keeps ringing, so perhaps this would be a good time to dispel some of the rumors which seem to be flourishing at the moment.

First off, there's nothing to the rumor that California plans to convert *all* its State universities into medium-custody prisons. At last report, the campuses at Davis, Berkeley, and San Diego will not be affected by the transformation.

This next trip is more of a clarification than dispelling a rumor: It seems many men are asking about the status of the initiative to stock inflatable rubber dolls on the canteen. True, the MAC's relentless efforts resulted in an approval being granted, but the canteen had to cancel the first order because of a court injunction. It seems a small faction of activists in our midst obtained a court order stopping the sale of the dolls on the grounds that only female dolls would be sold and, therefore, would be discriminatory towards the prisoners wanting to order male dolls.

That's your weekly issue, folks, and you gotta admit you got your money's worth.

Quentin Claims Title As Largest Walled Pen

Here is a little bit of trivia for those who are interested in the facts and fables of San Quentin.

Last month a Michigan state prisoner wrote a letter to San Quentin's Warden George Summer, advising the warden that Jackson prison in Michigan claims to be the “largest walled prison in the nation,” and asking for information regarding San Quentin's population and land area.

Leslie Moran, the Michigan prisoner, offered that Jackson's population was 2,838 prisoners actually inside the walls on Mar. 6, and that the area inside those walls was 52 acres.

Well, Summer is not about to go letting some back-east hoosegow spout off claims where a national title might be at stake, so he wrote back to Moran the following information:

On March 27, San Quentin had 2,964 prisoners on its 444 acres. The actual population inside the walls on that day, however, was 2,847 — just slightly over Jackson's count — and the walls of the old Bastille enclose 80 acres.

Tough break, Jackson.

Letters

Dear Editor:

On Apr. 6 there was an incident on the Max B yard involving the inmates living on the “non-affiliated” tier in the north block.

As a result of the incident my husband and I were required to visit on the phones . . . although he was not involved in the altercation. When I protested the phone visit I was told that the officials of the institution have the authority to “racially” lockdown the institution if it is deemed necessary for security reasons.

The Max B incident was deemed a personal dispute! Why, then, was it necessary for those not involved to have their visits disrupted by being put on the phones?

Apparently it matters little to the administration that discrimination, segregation by race, and punishment without due process is illegal. Or is it okay if state officials break the law without fear of reprisal? I think not!

Perhaps at the next MAC Banquet the warden might be presented with a pair of denims instead of a jacket. At least he would be dressed in a more appropriate manner when he applies his “double-standard” policies.

Sincerely,  
— Barbara Searcy

Dear Editor:

I'm writing this letter in response to the Bastille by the Bay, written by Joe Morse and printed Apr. 10.

He's said something in his column about a “new breed” here at San Quentin. All I can say to this is that when Ruth Rushen started her experimental point system for California correctional institutions, what did they expect? All the nice guys in Quentin and the violent ones in camp?

I think they should have looked far enough into this experiment before they started it. I imagine they should be happy with what they have now. It's going to get a lot worse in the future.

— Rodney Marcum C-18496

Dear Editor:

I just realized that I had been thinking about applying for the job you have open — the one as a reporter. Then I decided that I couldn't work in an area where I'd be damned if I did and damned if I didn't. Let me explain.

I have worked in prison publication offices before, but there we had some control over what is to be printed — and what is not. We didn't have to worry if we stepped on some toes of some lieutenant's friend. We weren't subjected to any retaliation by the lieutenant.

I would like to say that I commend your diplomacy. I see it evident in several pieces that are written. I can tell when the anger is held back, and that you sugar-coat the articles written about the Man — who has friends in all sorts of places and doesn't want their toes stepped on. And, yet, if you don't write something about this Man once in a while the cons damn you. Like I said, you can't win for losing.

Well, I don't know if many folks tell you they appreciate your work, but I do. I can see the true artist showing through.

Well, brothers, nuff said  
Later,  
— Bags C-11711

Family Day Worship Service

The men of the institution are privileged to invite their fathers and mothers to attend Family Day Worship Service with them in the chapel of their choice Sunday, May 10. Before the service, the sons may accompany their parents to the dining hall for breakfast. Fathers and mothers planning to attend the breakfast and service must arrive by 7 a.m., May 10, to allow time for clearances prior to the chapel services and breakfast. No parent will be processed for this program after 8 a.m.

If you plan to come for the breakfast and the religious services, please do the following:

Fill out the bottom of this form (Section No. 2) and return it to the institution before April 27.

Fill out (Section No. 1) and bring it with you on Family Day; present this section when you sign in.

You must bring with you positive picture identification such as a California Driver's License or a Department of Motor Vehicle Identification Card. (Es Necesario traer una identificacion con fotografia como licencia de manejar o identificacion del Departamento DMV). This will enable us to plan for your visit in advance and avoid extended delays the morning of the occasion. If the form below (Section No. 2) is not filled out and returned in time, you will not be permitted to attend the breakfast or the religious service. (Si la forma (Section No. 2) no llega antes del 27 de abril, no podra entrar.)

After the service you may visit with your son in the area designated. At this time, other family visitors may join you. Nonparents must wait outside East Gate until breakfast and services are completed (approx. 11:45). Neither wives nor children or grandparents are authorized to attend the breakfast or service. Those who have accompanied you (family and friends) will be directed to the visiting area after the service is completed. *There will be no provisions for child care during the breakfast or services.* On this day, for faster processing, please leave your purse at home or locked in the trunk of your car. Wear as little jewelry (metal) to speed up passage through metal detectors. No blue denims, blue jeans, or attire similar to blue jeans should be worn. Inmates with Medium B and Minimum custody will be allowed to visit on lawn area adjacent to visiting room.

— G. W. Sumner, Warden

Section No. 1 — Complete and bring with you on Mother's Day to present with your identification card.

Son's Name \_\_\_\_\_ A, B, or C Number \_\_\_\_\_

Parent's Name \_\_\_\_\_

Address \_\_\_\_\_

Section No. 2 — Complete and return by mail immediately.

I plan to attend the: Protestant ( ) Catholic ( ) Church of Christ ( )

Mother's Day Service

Son's Name \_\_\_\_\_ A, B, or C Number \_\_\_\_\_

Address \_\_\_\_\_

I will arrive at the East Gate by 7 a.m., on Sunday May 10.

Mail to: C. H. Wilson  
Activities Director  
California State Prison  
San Quentin, CA 94974

Mother ( )  
Father ( )

My Address is \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Send Your Kid to Camp

The Salvation Army operates summer camping programs for children aged 8 through 12. If any SQ residents have children in this age group who would enjoy a summer camping experience, please complete the appropriate form and return it to The Salvation Army, Northern California /Nevada Division, Correctional Services, P.O. Box 3465, San Francisco, CA. 94119, or the

Protestant Chaplain's office. We cannot promise every child a camping experience. Camp attendance is based upon the available resources of the Salvation Army located near your family.

Forms will be available in Prerelease and in the Protestant Chapel office.

Deadline is May 1.

Please Send the San Quentin News to me for the following:

☐ 1 Year, \$2.00 (\$4.50 outside Continental U.S.)  
☐ 2 Years, \$4.00

Make all checks payable to the Accounting officer.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Mail To: Accounting Office, San Quentin, CA 94964



# Supreme Court Denies Hearing on Death Laws

By Jim Mann

WASHINGTON — The U.S. Supreme Court gave its authorization last week to the resumption of capital punishment in California, refusing to hear arguments that the state's death penalty law is unconstitutional.

The justices voted 7 to 2 to let stand a death sentence imposed upon Earl Lloyd Jackson for the brutal 1977 murders of two elderly widows in Long Beach. Jackson's is the first death sentence to be cleared by both the California Supreme Court and the U.S. Supreme Court in more than nine years.

The action does not automatically mean that the 23-year-old Jackson or any of the other 52 men on death row in San Quentin Prison will be put to death soon. If he chooses, Jackson could delay his execution, perhaps several years, by filing a petition for a writ of habeas corpus challenging his conviction, first in state courts and then in federal court. His attorney, Joseph Shemaria, said yesterday that he would press these legal challenges.

Jackson could also seek clemency or a commutation of his sentence from Governor Brown, an avowed opponent of capital punishment.

Nevertheless, the justices' refusal to review Jackson's case carries considerable legal significance for California's death row inmates. It leaves in effect a decision by the California Supreme Court upholding the death penalty law that was passed by the state's Legislature over Brown's veto in 1977.

The Supreme Court, which has zigzagged on capital punishment law several times over the last 15 years, could still some day switch direction and strike down the California death penalty statute. But yesterday's action indicates at least that the justices have no general or fundamental objections to the law.

California has the fourth largest death row population in the nation and the largest outside the South. The states of Florida (153 condemned persons), Texas (138) and Georgia (93) have by far the largest numbers awaiting execution.

No one has been executed in California since 1967. In that year, Aaron C. Mitchell died in San Quentin's gas chamber for the shooting of a Sacramento policeman after Governor Ronald Reagan denied Mitchell's last-minute appeals for clemency. Mitchell was the 501st person to be executed by California.

# Circuit-Riding Judges Return

SAN FRANCISCO (AP) — California will be getting circuit-riding judges again — but this time they'll be traveling on freeways instead of horse trails.

The idea is to bring the Courts of Appeal to the cases in their jurisdictions, rather than making those involved travel to the courts' permanent locations in all cases.

The California Judicial Council on Mar. 23 announced the experiment, pending comments, but didn't say how long it might last.

Under the council's rule, each Court of Appeal — there are five around the state, in San Francisco, Los Angeles, Sacramento, San Diego-San Bernardino and Fresno — would adopt its own procedures.

The Supreme Court's refusal to hear Jackson's case was announced in a routine one-line order. The justices listed the California case along with appeals from two other death sentences in Georgia and Arkansas and said that they would leave the lower court decisions standing in all three cases. As usual, they wrote no opinion to explain these actions.

Justices William J. Brennan Jr. and Thurgood Marshall objected in all three cases. They did so with a one-sentence dissent, using words that have become a litany for these two justices in capital punishment controversies for the past five years.

"Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, we would grant certiorari (review) and vacate the death sentences in these cases," Brennan and Marshall declared.

# Garden Chapel Easter Services

Due to last Sunday's lockdown, the Marin Covenant Church Adult Choir's appearance here at San Quentin was postponed to Saturday, Apr. 18, at 1 p.m. in the Garden Chapel.

On Easter Sunday the Crusaders for Christ will be featured at 9:15 a.m. and Christian Discipleship will begin at 1 p.m. for close custody prisoners and at 6:20 p.m. for other mainline custodies.

The Christian Discipleship group will maintain that same schedule through Wednesday.

# Vacaville Critics Cite Rise in Prison Violence

VACAVILLE (AP) — An unprecedented wave of inmate violence has followed controversial changes in the administration of the California Medical Facility here.

While acting superintendent Hal Watts says the prison's operation is among the "smoothest" in the state, there have been several recent problems:

- Four suicides, one killing, four attempted suicides and 11 assaults have been reported at the facility since Jan. 1.
- Inmates have filed a lawsuit charging the prison's 20-year-old award-winning newspaper was censored and finally shut down by officials because of critical articles.
- The Northern California Psychiatric Society and the California Psychiatric Association both have adopted a position paper highly critical of recent changes at the facility.

Watts, a veteran prison administrator, left his third retirement to take control of Vacaville last November. He is the prison's first superintendent without a medical background.

Dr. T. L. "Larry" Clanton, who had been at Vacaville almost 20 years and served as superintendent the last eight, asked to be transferred rather than step down to a secondary position.

About the same time, inmate-journalists submitted the Christmas edition of the Vacaville Star for approval. Watts asked that several articles and a Prisoner's Union ad be deleted because they "were not within department policy and were also somewhat inflammatory."

The articles were removed, replaced by editors with the word "censored." Watts ordered 1,600 copies burned and shut the paper down. The inmates, with the help of the American Civil Liberties Union, filed suit.

Watts said the articles erroneously said the unlocking procedures in the messhall and housing wings were dangerous, made unproven allegations against two prison officers, improperly commented on the roles played by state employee groups and attacked the prison's use of behavior modification.

He said the word "censored" could have led to trouble with the 1,500 prisoners, who include 200 psychotics and some 600 inmates participating in group psychotherapy.

The facility, 50 miles east of San Francisco, is California's only medical prison. Mentally ill inmates are sent to other facilities, but the most severe cases are sent to Vacaville, said William Guthrie, spokesman for the Department of Corrections.

The criticism from the psychiatric groups includes statements that Vacaville is not complying with state licensing requirements and that the facility should have a superintendent with a medical background.

Watts agreed Vacaville does not comply with licensing standards. He said the proposed state budget for 1981-82 would add 40 medical personnel to bring the facility into compliance. He said he feels it is advantageous to have a layman in charge who is familiar with all the different operations at the prison.

Dr. Elaine Jones Knutsen, director of the northern California group, said the position paper was drafted after her group received letters from physicians at Vacaville concerned about alleged "unethical practices."

She said allegations included complaints that dangerous inmates were being sent to Vacaville just for medical restraint and that racial quotas are used to determine which inmates are admitted.

Clanton does not feel the rise in violence can be attributed directly to the change in superintendents. He said there had been a more gradual rise over the past few years that he attributes to several factors.

He said the prisoners had become more violent, there had been no increase in the professional staff, the determinate sentencing law took away hopes for an early parole and the public had adopted a "lock 'em up and throw away the key" attitude toward criminals.

Watts also said inmates had become more violent. But he suggested overcrowding as another cause. He said Vacaville currently is making room for 300 more prisoners.

The most recent fatalities at the facility occurred last weekend.

Timothy Patrick Murray, 31, was found hanging from a bed sheet in his cell 30 minutes after he was checked by a guard, said prison spokesman Bill Taylor.

Murray, convicted in Fresno county of lewd and lascivious conduct with an infant girl, had been taken off "suicide watch" two days before his death.

Coroners officials said the second suicide, Christopher Cowsar, also 31, apparently killed himself by swallowing a pillow case. He had been convicted of second-degree murder.

The two suicides on Saturday followed Friday's fatal stabbing of inmate Roy Dunn, 34.

The five fatalities so far in 1981 contrast with 12 fatalities in all 12 state prisons last year. Vacaville has averaged less than three suicides during each of the last six years.

Despite the grim figures, Watts remains confident.

"In my opinion, since we started operating in November, it's been a very healthy arrangement," he said. "That's my own personal opinion and, I'm sure, it's that of our psychiatric staff."

# New Cries for Gun Control

WASHINGTON (AP) — The movement that has been fighting with little success for two decades for gun control announced April 1 that it will launch a new offensive because of the shooting of President Reagan.

"There are too many lives at stake," Pete Shields, chairman of Handgun Control Inc., said at a news conference. "I am not going to give in even if the President doesn't change his position (against gun control)."

Shields said his organization is undergoing a renaissance after the murders of rock star John Lennon in New York and heart surgeon Michael Halberstam in Washington.

The group now has about 130,000 members, Shields said, compared to the one million-plus members of the chief pro-gun group, the National Rifle Association.

He said he "plans to recruit a national citizens' force of one million Americans" to rally behind the gun-control bill sponsored by Senator Edward Kennedy, D-Mass., and House Judiciary Committee Chairman Peter Rodino, D-N.J.

CANTEN PRICE LIST									
April 17, 1981									
FOODSTUFFS		BEVERAGES CONT.		SUNDRIES CONT.		HAIR ACC. & CONDITIONERS CONT.			
A-1 Sauce	\$1.00	Tea Bags, 100	\$2.85	Paper, Bond 16 lb.	\$4.70	Brut 33 Hairspray	\$1.55		
Bean Dip, Jalapenos	.60	Tea, Instant	.25	Paper, Bond 20 lb.	5.45	Chenti Panthenol Rinse	1.65		
Beef Sticks	.30	V-8 Vegetable Juice	.35	Paper, Legal 26-line	10 for	Combs, Natural	.60		
Candy, Bags	.65			Paper, Legal 32-line	10 for	Combs, Regular	.45		
Candy Bars & Lifesavers	.25	TOBACCO & ACCESSORIES				Comb, Natural Pick	1.00		
Candy Bars, lg.	.85	Beechum Tobacco	.60	Pen, Lindy, Ballpoint	.25	Combout	1.25		
Cheese, Sliced	1.25	Borkum Riff, 1.5 oz.	.65	Pen, Papermate, Ballpoint	.85	Dixie Peach, lg.	1.15		
Cheese, Loaf, 2 lb.	3.85	Bond Street	.60	Pencil, Lead	.10	End Paper	.90		
Cheetos	.85	Bugler, 7 oz.	2.10	Pencil, Mech	.90	Hair Brush	1.40		
Chile Con Carne	.60	Cigarettes, Carton	6.00	Plastic Containers, 4/set	2.20	Hair Food	1.65		
Chile Peppers	.95	Dutch Masters Panatellas	.95	Pocketbook & Magazines	75 to	Hair Glo	.95		
Chile Sauce	.65	Garcia y Vega Cigars, 5-box	.35	Postcards, SQ (5-pict)	.90	Hair Oil Hqz	.65		
Chunky Beef Soup	.70	House of Windsor	.20	Postcards, Standard	.10	Magnetic Hair Rolls, med. & lg.	.90		
Cookies	1.15	King Edward Imperials	.45	Room Freshener	.80	Mustache Wax	1.05		
Crackers, Graham	.90	King Edward Specials	.30	Scripto Lead	.45	Proline Combout	1.30		
Crackers, Ritz	1.20	Lighter, Butane	.70	Shoe Polish, Bk. & Brn.	.40	Proline Cond.	1.10		
Crackers, Saltine	.80	London Dock	.55	Shower Slippers, sm., lg., x-lg.	.80	Proline Cond., Gel	3.35		
Cupcakes & Fried Pies	.40	Mixture 79	.55	Spoons, Plastic	2 for	Protein 29	1.15		
Dill Pickles	1.15	Papers, B&W	.15	Stamps	.18	Roller Pins	.35		
Donuts, Assorted	1.20	Papers, Yorkshire Long	1.05	Sun Glasses	2.40	Ultra Sheen Kit	6.35		
Dry Cereal	.20	Pipe Cleaners	.30	Sun Glasses, Clip-on	2.50	Vitalis, Super Hold	2.30		
Fritos	.70	Pipe Filters	.15	Tablet, Colored	.95	Wave Rods	1.20		
Funyuns	.70	Pipes, Doctor Grabow	2.55	Tablet, yellow, ruled	.75				
Honey Butter	.90	Pipes, Kaywoodie	6.50	Tablet, white, ruled	.60	SOAPS & SHAMPOO			
Honey Natural	1.05	Prince Albert	.40	Toenail Clippers	.90	Shampoo, Chenti Panthenol	1.65		
Hot Sauce, Louisiana	.40	Prince Albert, lg.	3.85	Tumblers	.80	Shampoo, Head-n-Shoulders	.85		
Ice Cream Novelties	.25	Red Dot	.60	Tweezers	.55	Shampoo, Prell	.85		
Ice Cream, Pint	.60	Roll-ese Reg. & Menthol	1.20	Watchband, Exp.	1.80	Shampoo, Pro-Line	.90		
Jalapenos Peppers	.60	Rolling Kit, Bugler	1.95	Watchband, Nylon	1.35	Shampoo, Sebuctone Tar	2.80		
Jam	1.25	Snuff, Copenhagen	.60	Watch, Pocket, Westclox	9.45	Shampoo, Subulex, Med.	2.30		
Marshmallows	.50	Top, 7 oz. tin	1.95	Watch, Wrist, Timex	17.90	Shampoo, Sulphur 8	2.00		
Mayonnaise, Miracle Whip	.65	Top, Kite	.30			Shampoo, Woodbury, 16 oz.	.75		
Menudo Stew, 7 1/2 oz. can	.40	Velvet, lg.	4.30	TOILET ARTICLES		Soap, Cocoa Butter	.80		
Mustard	.40	Velvet, sm.	.50	Alta Shave	1.10	Soap, Dial	.50		
Onion Rings	.70	White Owl Panatellas	.75	Brush, Shaving	3.80	Soap, Irish Spring	.40		
Peanuts, Spanish, Salted	.45			Brut 33 Cologne	1.55	Soap, Palmolive	.40		
Peanut Butter	1.60	SUNDRIES		Brut 33 Deodorant Stick	1.15	Soap, Sestid	1.45		
Peacan Pies	.40	Aerogrammes	.30	Copper Tone Tan Lotion	1.30	DENTAL SUPPLIES			
Pico Pica Sauce	.45	Alarm Clock	7.30	Cocoa Butter	.85	Binaca Breath Drops	1.15		
Popcorn	.15	Album, Photo	2.45	Chenti Panthenol Lotion	4.25	Cepacol Mouthwash	1.75		
Potato Chips, Bar-B-Que & Plain	.70	Album, Refills	.55	Colgate Shaving Soap, cup	.30	Dental Floss	.65		
Pretzels	.70	Art Corners	.45	Colgate Rapid Shave	.90	Denture Brush	1.20		
Rolls, Assorted	1.30	Bags, Zipper, Canvas	6.00	Colgate Shaving Soap, cup	.30	Effident Cleaner	1.80		
Salami	1.15	Batteries, AA (4)	.45	Intensive Care Baby Oil	1.20	Polident Cleanser	1.65		
Sardines	.75	Batteries, C-size, D-size	.40	Jergens Direct Aid Lotion	1.15	Poligrip Adhesive	.75		
Soup, Cup of	.15	Batteries, 9-volt	.60	Magic Shave	.65	Toothbrush	.30		
Sugar Cubes, 1 lb.	.80	Binder, 3-ring, 8 1/2 x 11	3.70	Mennen Cream, Brushless	.65	Toothpaste, Colgate 7 oz.	1.45		
Top Ramen Soup	.35	Binder paper, 3-hole	.80	Mennen Cream, Lather	.65	Toothpaste, Pepsodent, sm.	.30		
Tortillas, Floured	.90	Can Openers	.40	Mennen Deod. Stick, 1 1/2 oz.	1.00	Toothpaste, Topol, 3 oz.	3.25		
Tuna Fish	1.15	Christmas Cards, Box, 1.69 to	3.29	Noxema Cream, Brushless	1.05	Toothpicks	.45		
		Christmas Cards	5.00	Noxema Skin Cream	1.30	Toothpowder, Colgate	.90		
BEVERAGES		Cards, Greetings	.25, .35 & .45	Pond's Milk Skin Care	1.20				
Breakfast Drink	1.40	Cards, Greetings	.15 to 2.50	Powder, Casmere Bouquet	.80	DRUGS			
Cocoa Mix, 1 1/2 lb. bag	2.60	Decanter, Plastic	1.85	Powder, Magic Shave	.70	Alacer Multi-Vitamin, 7 oz.	10.10		
Coffee, Hills Brothers, 2 oz.	.95	Dissolution, Regulatory	3.00	Powder, Mennen, Bath	1.15	Alka Seltzer, Pkg. of 2	.10		
Coffee, MJB, 10 oz.	3.75	Divorce, Summary	5.00	Powder, Mennen, Face	.60	Clearasil	2.20		
Coffee, Tasters's Choice	3.75	Envelopes, Blank	.02	Razor, Double II	1.45	Cough Drops	.30		
Dairy Creamer, Maxwell	.80	Envelopes, color 24	.55	Razor Blades, Double II	1.25	Hoffman's Energol, 8 oz.	4.80		
Egg Nog, qt.	1.05	Envelopes, Expanding	1.60	Styptic Pencil	.30	Hoffman's Hi-Pro Pwd., 1lb.	3.45		
Kool-Aid, 2 qts.	.65	Envelopes, Plain, Manila	.15	Soap Dish	.50	Lip Ice	.50		
Lemonade, qt.	.45	Envelopes, Stamped	.20	Washcloth, White	.40	Quinsana Footpowder	1.45		
Milk, Chocolate, qt.	.75	Fingernail Clippers	.40			Tums	.30		
Milk, Fresh, qt.	.65	Ink, Refills, Shaeffer	.15	HAIR ACC. & CONDITIONERS		Vicks Vapo-Rub	1.35		
Milk, Powdered	1.30	Handkerchiefs	.80	Alberto VO-5	1.80	Visine Eye Drops	1.70		
Ovaltine	1.65	Padlock, Combination	2.90	Breck Cream Rinse	.90				
Soda Pop, Canned	.30	Paper, Blue Bond 16 lb.	5.30						

The main canteen will accept whole \$1 ducats during the first week in months that have two dead weeks.

—W. Riebling, Canteen Manager II



# Security Changes Made At Furniture Factory

## More Cops, Pruno Stifled, Volunteer Workers Only

By Casey Burke

Stronger security measures are being instituted in the Correctional Industries Furniture Factory. These security systems are being installed by order of the warden to lessen the chances of violent incidents such as happened last month in the death of furniture factory supervisor Charles Sickles.

The addition of two officers to Sgt. Terlizzi's industries security staff was one of the first steps taken to "provide protection for both staff and inmates." According to Sgt. Terlizzi other security changes in the industries area will include the following:

The industries noontime

menu will be changed in order to omit all fruits that could ferment and be used in the making of wine.

Sgt. Terlizzi went on to say that he feels the allowance of industries workers to quit their jobs after last Wednesday's meeting with the warden was a good idea. He would like to see more motivated men who have the desire to work and make some extra spending money come into the factory. He feels that if a man doesn't have a desire to work he should not be forced to work in the furniture factory. He does ask that the workers who agreed to stay and who want to work don't abuse their privileges and that

they report to work.

Sgt. Terlizzi went on to state that new systems are being worked out for laundry exchange for industries workers due to the warden's directive of not allowing parole bags, pillow cases or "ditty" bags into the area.

Terlizzi also made mention of a new policy for hiring in the furniture factory that is being discussed by the institutional policymakers. The proposed hiring policy, if enacted, will provide the initial classification committee with the authority to refer an inmate to the furniture factory for screening by the industries hiring committee.

For an indefinite period there will be no lockers available for furniture factory workers to store their personal

Continued on page 4

## Howard Way

# Prison Chief Warns About Futility of Longer Terms

By Mary Leydecker  
Of the IJ staff

ditions to be imprisoned.

The state's county jails and prison system are already badly overcrowded, Way said, and more people are entering all the time. He said the state prisons now hold 24,500 people. The figure is expected to reach 30,000 by the end of 1982.

Further complicating the situation, Way said, is the fact that San Quentin and Folsom prisons are outmoded and don't meet fire and safety standards.

"A federal court could tell us at any time to close down these two institutions," Way said.

There is \$27 million in the state's 1981-82 budget for construction of new prison facilities, he said, including ad-

ditions at Tehachapi and a new prison near the Mexican border in Adelanto.

"We finally have found a community that wants a prison," Way said about Adelanto, a San Bernardino County town.

However, he said, these additions still won't solve the overcrowding problem in prisons and it is estimated that each new bed added to the prison system costs \$70,000 to \$80,000.

The cost probably will be higher to replace the maximum-security facilities at San Quentin and Folsom, he said.

To relieve the pressure, the Department of Corrections is expanding programs like work furloughs and prerelease centers in various cities, according to Way.

"These are for non-violent people, the car thieves, 'paper hangers' and 'Mickey Mouse' burglars," he emphasized. However, Way said, facilities for such programs are almost inevitably met with opposition by residents of whatever community is selected for them.

"We desperately need the cooperation of law enforcement people in selling these programs to local communities, he said.

Way said he is not in full agreement with new laws, including one that makes it mandatory to sentence a first-time burglar to state prison under certain conditions.

He said the laws are "a knee-jerk reaction" brought about by a "mood of hysteria" in the state over violent crime.

Way predicted that the laws would not solve the problem,

# 'We Don't Need More Prisons,' Crime Panel Told

WASHINGTON — Half the inmates in state prisons could safely be moved to less secure facilities or placed on probation to make room for more violent criminals, a federal task force on violent crime was told recently.

Instead, two-thirds of the prisoners are confined in cells that are below minimum standards, said Allen F. Breed, director of the National Institute of Corrections.

Breed, under questioning by Attorney General William French Smith's eight-member panel, said that no more than 15 percent of the 290,000 inmates require costly high-security prisons, but that 70 percent of the institutions fall into that category.

"I don't agree with the view that we have to build more prisons before we can incar-

cerate violent offenders," said former Attorney General Griffin B. Bell, co-chairman of the task force. He said that a distinction should be made between violent offenders and other lawbreakers when it comes to sending them to prison.

Breed agreed, saying, "The national pattern of incarcerating so many non-violent offenders requires a reassessment." Otherwise, it would cost \$8 billion to \$10 billion to end present overcrowded conditions in state prisons, he estimated.

Breed was one of several federal officials whose testimony at the task force's second session made clear that the members face a formidable challenge in finding ways to fight violent crime without spending more money.

Robert F. Diegelman, acting director of the Justice Department's Office of Justice Assistance, Research and Statistics, cautioned the task force not to respond to rising

Continued on page 4

## Tear Gas Quells AC Disturbances

Tear gas was used in the adjustment center on Friday — and again on Monday — when residents of that unit refused to remove the paper covering their cell bars.

Information received from Mike Madding, prison spokesman, states that five convicts living on the first tier refused to comply with the order to remove the covering from their bars Friday. Tear gas was used before physically removing each prisoner from his cell — allowing guards to remove the covering from the bars.

On Monday, 36 AC residents refused to comply with the order to remove the covering from their bars. Again, tear gas was used before removing the convicts from their cell.

Six injuries were reported following the disturbance that resulted when the convicts were being removed from their cells. One convict was admitted to Neumiller Hospital for broken facial bones, and two correctional officers were treated after being bitten during the incident.

## R&R Has New Fluoroscope

A new fluoroscope machine has recently been installed and is now operational in Receiving and Release for inspection of incoming packages.

All items in packages that could feasibly be opened, have contraband inserted and then resealed will be examined in the device, said Correctional Officer B. K. Hanby.

Also, he said, any item that appears to have been tampered with will be subject to inspection and shoes will routinely be checked for steel shanks.

The fluoroscope is an efficient device. The item to be inspected is simply placed inside the access door, the machine is turned on and an x-ray of the item can be seen through the viewing window. Anything with substance will show up—including such things as potato chips.

Receiving and release has been without a fluoroscope for about a year and a half. The old machine was transferred for use in the Adjustment Center at that time.

POPULATION  
COUNT  
**2,968**

Friday, April 24

## Vast Prison Reform Ordered for Texas

HOUSTON (AP) — A federal judge, rejecting the Texas attorney general's request for delay issued a sweeping final order in the 9-year-old Texas prison reform case requiring the nation's largest prison system to double its ratio of guards to inmates and give many prisoners separate cells.

U.S. District Judge William Wayne Justice of Tyler, Texas, who in an emotional 248-page opinion last December found the Texas Department of Corrections guilty of massive violations of inmate rights, ordered the corrections department:

- To reorganize its 17 prisons into administrative units of no more than 500 inmates each;
- To build no new prisons more than 50 miles from cities of at least 200,000 without proof of an area work force sufficient to supply one guard for every six inmates;
- To expand inmate parole, early release and furlough programs to the maximum al-

lowed by state law, immediately reducing the prison system's population of 30,000 inmates;

- To change disciplinary proceedings to protect inmate rights, give inmates full access

Continued on page 4

## Guard Stabbed in Adjustment Center

Correctional Officer Gerald Riley, 26, was seriously injured Tuesday night when he was reportedly stabbed by a prisoner in the Adjustment Center.

According to Mike Madding, prison information officer, Riley was making a count and picking up mail at 10:14 p.m. when he was called to the cell of Warren Jordan who said he had a letter to go out.

When Riley approached the cell, Jordan allegedly thrust a 36 inch "spear-like" weapon through the bars, stabbing the officer once in the right side of his chest.

The weapon was apparently made of rolled newspaper or magazines with a five-inch

knife attached to the end.

Riley then sought aid and was rushed to the prison hospital. He was immediately transferred to Marin General Hospital where surgery was later performed and was reported in satisfactory condition the next day.

Jordan is currently serving a life sentence for a Los Angeles County murder conviction and has been at San Quentin since 1972.

Last November, Jordan was charged with stabbing the chairman of the Board of Prison Terms and a deputy district attorney at a parole hearing here.



# Easter Bunny Visits SQ's Visiting Room

By Casey Burke

The visiting room came alive with shouts of laughter and cheers of happiness as the announcement, "We are being invaded by the Easter Bunny," came blaring over the P.A. system Easter Sunday.



MYSTICAL TALES of Easterland as told by the Easter Bunny.

Children of all ages flocked around the Easter Bunny to learn of tales of Easterland and to receive gifts of jellybeans.

Pandemonium broke out as the Easter Bunny danced around the visiting tables, wiggling her long floppy ears and cute little cotton tale. The small children gleefully pranced along behind her on a sing-song tour of the visiting room before stopping at the picture-taking area to have their pictures taken.

The Easter Bunny hopped away on her appointed rounds to spread joy into the hearts of children throughout the land. As she departed, Ms. Bunny said, with tears of joy rolling down her rosy cheeks, that she had received gifts from the kids — in the form of nickles and dimes to help out with putting gas in her Bunnymobile.

Sgt. Davenport later reported that the Easter Bunny was snatched up by a couple of officers as she was leaving. The officers alleged she was in possession of "grass" — found in her Easter basket — but due

to the gala attitudes of the officers and the sergeant's newly acquired belief in the Easter Bunny, she was released with just a warning.

Upon interviewing the kiddies, correctional personnel, parents, and other visitors, the

**Melissa Gutierrez:** "Oh, yes, I believe in the Easter Bunny, 50-50."

**Peter Thomas:** "Who's the Easter Bunny? I'd have to see the Bunny first before I could honestly answer that question."

**Rickie Allen:** "I liked the Easter Bunny, but I don't know that much about it."

**David Adams:** I liked the Easter Bunny a lot! She was very nice."

**Sgt. Davenport:** Up until today I didn't even believe in the Easter Bunny, but now I'm a true believer!"

**Ed Asbury:** "There's a Santa Claus isn't there? But of course I believe in the Easter Bunny."

**Lisa Cummings:** "Sure I believe in the Easter Bunny Doesn't everybody?"

**Tasiha Allen:** "I don't know, but I do wish that everyday was Easter, cuz I love jellybeans!"

**Larmar Daniels:** "No I don't believe in the Easter Bunny cuz your foolish if you do."

**Rosanna Williams:** "What a silly question. Of course I believe in the Easter Bunny!"

**Felicia Noble:** "The Easter Bunny was nice. I liked the Easter eggs. I'm looking forward to opening the Easter basket I made when I get home."

**Jennifer Sappington:** "Yeah, I liked the Easter Bunny and she is for real. But I thought the jellybeans were great!"



EASTER BUNNY (Kay Ryan) visits SQ.

## Unmarried Convict Asks Court for Trailer Visits

Ray Cummings, serving a life sentence in San Quentin for a murder in Alameda County, asked the California Supreme Court April 14 to allow him to have conjugal visits with Susan Cummings and to see her 7-year-old daughter.

Ray and Susan aren't married, Cummings acknowledged, but they lived together for seven years before his arrest in 1978 and he said the child

considers him her father.

The fact they all have the same last name is a coincidence, said Cummings' attorneys, Michael Sarris and Donald Spector of the Prison Law Office, which is located just outside the prison's main gate.

Cummings requests for conjugal visits with Susan and the little girl have been turned down by the state Department of Corrections, the Marin County Superior Court and the state Court of Appeal because there is no "legal marriage, adoption or blood relationship."

In the writ filed, Cummings asked for and order permitting him to have family visits with the women and child "with whom he has established his family."

## California Prepares To Resume Executions

SAN DIEGO (AP) — Robert Alton Harris was told to prepare to die July 7 in the gas chamber at San Quentin for shooting to death two 16-year-old boys while stealing their car for a bank holdup.

Superior Court Judge Donald W. Smith set the date, but a deputy state attorney general predicted it will be delayed.

"This is not going to be it," predicted Michael D. Wellington, saying he expects attorneys for the 28-year-old Visalia man to petition the U.S. Supreme Court.

The California Supreme Court upheld Harris' conviction Feb. 11. He was convicted in 1977 of kidnapping, robbing and murdering Michael Baker and John Mayeski, both shot in the back as they ran.

Harris' brother Daniel, 20, pleaded guilty to kidnapping and was sentenced to six years in state prison.

In his appeal to the state's highest court, the older man challenged the constitutionality of the death penalty, the testimony of a psychiatrist who called him a "sociopath" and the refusal of two judges to move the trial to another county.

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## KQED Films Documentary On 'Politics of Punishment'

A KQED documentary intitled 'The Politics of Punishment' will be aired April 27 at 8 p.m.—and again on May 1 at 10 p.m.

Spencer Michels, a reporter for KQED and spokesman for the film crew, explained what they were hoping to find in SQ. Michels stated that, "Crime has become a very popular issue. The legislature is actively engaged in trying to stop crime by imposing longer prison sentences. What we're looking for here is the effect of those increasing sentences have on crime. We want to see just what programs are available here and how they aid in readying convicts for their return to society."

To get an in-depth view for the half-hour documentary, nine weeks of research are being done. Besides dealing with the view from the inside, the documentary will also air the views of politicians, parolees, criminologists, sociologists, the Attorney General and S.F. Mayor Dianne Feinstein. That city's recent violent crime wave has caused her to implement new deterrents to crime in her city.

The purpose of the documentary is to let the public see how complex the situation really is. Facts and figures contradict each other and nobody has the answer, but it's certain that longer sentences aren't it. Longer sentences only cause overcrowding and other difficulties. It'll be interesting to see just what the legislature plans to do about that.

## Vets Given Chance To Tell War Stories

The Prison Arts Project at Vacaville is now compiling an anthology of military veterans' experiences in the Vietnam conflict. Vets here at San Quentin are invited to submit stories of their experiences in poetry or prose.

According to a bulletin received from the project, those who are compiling the anthology believe that the Vietnam conflict has had a profound affect on those who gave service there, and they believe the time has come to tell that story first hand from those who lived it.

The stories and poems are not limited to actual combat experiences, but may include humorous incidents as well. The book will be a documentation of the experiences veterans lived and either enjoyed or despised.

The project bulletin advises that all those who submit manuscripts or poetry will receive a copy of the completed book. Anticipated completion date will be around Christmas. Writers who are paroling or transferring before then should advise the project of change in address.

The editors are prisoners at the California Medical Facility at Vacaville with "quite a bit of experience in both the Vietnam conflict and with writing." This is apparently the third book that the Prison Arts Project will help to compile.

Deadline for submissions is June 30. Submit works to Vic Diaz, % Prison Arts Project, P.O. Box 2000, Vacaville, CA 95696.



THE ESSENCE of Easter with the Easter Bunny.

Request-a-Prayer  
Prayer Box  
Outside Garden Chapel  
For Everyones' Use

## Welfare Witticisms

You know about all those seemingly silly questions asked of needy people who are applying for welfare. As a result of the confusing nature of the questions asked, some people give equally "dizzy" answers. The following responses were taken from actual letters received by the Department of Welfare.

1. I am forwarding my marriage certificate and six children. I have seven but one died which was baptized on a half sheet of paper.
2. I'm writing to the Welfare Department to say that my baby was born two years old. When do I get my money?
3. Mrs. Jones has not had any clothes for a year and has been visited by the clergy regularly.
4. I cannot get sick pay and have six children. Can you tell me why?
5. I am glad to report that my husband who was reported missing is dead.
6. Please find for certain if my husband is dead. The man I am now living with can't eat or do anything until he knows.
7. I'm very annoyed to find you have branded my boy as an illiterate, as this is a dirty lie. I was married to his father a week before he was born.
8. In answer to your letter, I have given birth to a 101-lb. boy. I hope this is satisfactory.
9. I am forwarding my marriage certificate and my three children, one of which was a mistake, as you will see.
10. My husband got his project off two weeks ago and I haven't had any relief yet.
11. Unless I get my husband's money soon, I will be forced to lead and immortal life.
12. You have changed my little boy to a girl. Will this make any difference?
13. I have no children as yet, as my husband is a bus driver and works day and night.
14. In accordance with your instructions, I have given birth to twins in the enclosed envelope.
15. I want my money as quick as I can get it. I have been in bed with the doctor for two weeks and he does not do me any good. If things don't improve, I will have to send for another doctor.

## San Quentin News

USPS 480-700

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The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

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G. W. Sumner ..... Warden  
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Shekeniah Singers At Garden Chapel

A contemporary gospel group, Shekeniah, will be appearing at the Garden Chapel Saturday starting at 9:30 a.m.

Shekeniah, composed of



Handball Tourney Set for West Block

There will be a handball tournament on the west block court at 8:30 a.m. Sunday, according to Fernando Gonzales, tournament director.

Fernando said that a list of players who are housed in other units will be given to the south block rotunda officer that morning.

eight students from the Golden Gate Baptist Seminary in Marin County, has been organized one year and has often sung at churches and school affairs.

Law Library Seminar

On May 5 and 19 a legal seminar will be held at the law library. Mr. Carl B. Shapiro, attorney-at-law, and Mr. Myer W. Halpern, Marin County law librarian, will be in attendance. Mr. Shapiro is a 30-year veteran of criminal law.

It is anticipated that both sessions will deal with the procedures on direct appeal and collateral attack as well as habeas corpus procedures on seeking post-conviction relief.

Those men wishing to attend should sign up at the law library with Mr. McHenry, senior librarian. Mr. McHenry requests that the men signing up attend the seminar in good faith.

The meetings will be on Tuesday evenings so if you sign up please notify your visitors that you will be busy on these dates. The amount of attendance is limited and will be scheduled on a first come, first served basis.

Sate Meeting Sunday

The Self-Advancement Through Education (Sate) group will hold a meeting in the education annex, Sunday at 12:15 p.m.

Package Slips Unavailable

There seems to be no quarterly package authorization slips available around the institution.

Until new slips can be obtained, Sgt. Kennedy at receiving and release has advised the News that prisoners should have their family or friends simply mark "No Package Slip Available" on the packages.

All packages clearly marked in this way will be accepted, said Kennedy.

A Glimpse Out Of the Past

By Casey Burke

Here's a piece of trivia for you San Quentin nostalgia buffs. In an article in the archives issue of Feb. 18, 1954, comes the following partial list of magazines that were approved for subscription at that time.

This was back in the days that CDC protected the cons from such moral poisoning publications as "Penthouse," "Playboy," and "Hustler."

"Air Facts," "American Cattle Producer," "American Esperanto," "American National Fur," "Market Journal," "Automobile," "Bees," "Body Modern," "Bohemia," "California Plaster," "Canadian Silver Fox and Fur," "Cine Grafica," "Contact" (Aviation), "Country Gentleman," "Crisis," "Cue," "Dime and a Half Crossword,"

"Dog World," "E.T.C.; Review of General Semantics," "Everybody's Digest," "Film-and-A/V World," "Golfing," "Hit Parader Magazine," "Hoofs and Horns," "Hopalong Cassidy," "Journal of Suisse d'horlegerie," "Knockout," "Laundry Age," "Mecanica Popular Revista," "Metronome," "Milk Plant," "Modern Builder's Annual," "Motor Truck News," "Nature's Friend," "New Leader," "Our World," "Pacific Games," "Pacific Spectator," "Paper and Twine Journal," "Pathfinder," "Plastic Trend," "Past Lore," "Poultryman," "Practical Builder," "Quick Magazine," "Restaurantman," "Rider and Driver," "Roundtable, University of Chicago," "Rudder Magazine," "Science of Mind Magazine," "Seven Arts Magazine," "Sky and Telescope," "Soil Science," "Song Hits," "Speed Age," "Super Service Station," "Temas," "Texas Parade," "Tobacco World," "Turf and Sports Digest," "Turkey World," "United Nations World," "Walt Disney Comics," "Weird Tales," "Western Kennel World," "World," "Your Farm," "Your Life," "Your Physique."

Family Day Worship Service

The men of the institution are privileged to invite their fathers and mothers to attend Family Day Worship Service with them in the chapel of their choice Sunday, May 10. Before the service, the sons may accompany their parents to the dining hall for breakfast. Fathers and mothers planning to attend the breakfast and service must arrive by 7 a.m., May 10, to allow time for clearances prior to the chapel services and breakfast. No parent will be processed for this program after 8 a.m.

If you plan to come for the breakfast and the religious services, please do the following:

Fill out the bottom of this form (Section No. 2) and return it to the institution before April 27.

Fill out (Section No. 1) and bring it with you on Family Day; present this section when you sign in.

You must bring with you positive picture identification such as a California Driver's License or a Department of Motor Vehicle Identification Card. (Es Necesario traer una identificacion con fotografia como licencia de manejar o identificacion del Departamento DMV). This will enable us to plan for your visit in advance and avoid extended delays the morning of the occasion. If the form below (Section No. 2) is not filled out and returned in time, you will not be permitted to attend the breakfast or the religious service. (Si la forma (Section No. 2) no llega antes del 27 de abril, no podra entrar.)

After the service you may visit with your son in the area designated. At this time, other family visitors may join you. Nonparents must wait outside East Gate until breakfast and services are completed (approx. 11:45). Neither wives nor children or grandparents are authorized to attend the breakfast or service. Those who have accompanied you (family and friends) will be directed to the visiting area after the service is completed. *There will be no provisions for child care* during the breakfast or services. On this day, for faster processing, please leave your purse at home or locked in the trunk of your car. Wear as little jewelry (metal) to speed up passage through metal detectors. No blue denims, blue jeans, or attire similar to blue jeans should be worn. Inmates with Medium B and Minimum custody will be allowed to visit on lawn area adjacent to visiting room.

— G. W. Sumner, Warden

Visiting Hours

General population (contact visits:)

Wed. - Mon. .... 8:00 a.m. to 2:30 p.m.  
Sat., Sun., Hol. .... 7:30 a.m. to 2:00 p.m.  
Tues. (afternoon) .... 1:00 p.m. to 3:00 p.m.  
Tues. (evening) .... 4:30 p.m. to 7:45 p.m.

Restricted visits (phone visits, hospital, AC, north block, north seg, B, C, and D sections:)

Weekdays (except Tues.) ... 8:00 to 1:30 p.m.  
Sat., Sun., Hol. .... 7:30 a.m. to 1:30 p.m.

—Did You Know?—

Prisoners in the California Department of Corrections may subscribe to the Prisoners Union Journal at no charge. Simply address requests to: Prisoners Union 1315 18th Street, San Francisco, CA 94107.

Hire An Ex-con

Hospital visits are restricted to immediate family only and are limited to one-half hour in duration.

Hours given are those in which visitors will be processed in; actual visiting terminates from 15 to 45 minutes later.

Letters

Dear Editor:

Perhaps someone could explain what the term "institutional convenience" means. This catch-all phrase has been used to unassign myself and many others from the furniture factory.

To avoid confusion, let me explain that on Mar. 30 there was an incident at the furniture factory. As a result, it was determined that a number of undesirables were currently assigned to the factory. So Mr. Roy English and Associate Warden Nyberg screened everyone's jacket and unassigned the men they determined to be undesirable.

Now the part I don't understand is what basis or criteria, if you will, was used to judge the men? I've been told a number of different things, but I find them hard to believe. (Institutional violence, pruno, bad work habits, etc.) The reason I doubt them is because I know a number of men who are still assigned and do not meet the criteria. So, instead of giving me a reason as to why I'm unassigned, they simply say it is for institutional convenience. Double and triple standards is what I call it.

— Perry Jarvis C-9189

Dear Editor:

To date, my hours in the visiting room have been enjoyable. I'm pleased to see that the warden is taking steps to tighten up on some areas of behavior so that even more people can enjoy their visits as I do now.

I worry, however, that there may be some bad feelings over the methods of carrying out these new standards of behavior in the visiting room. Don't the guards feel embarrassed having to break up lengthy embraces? And who will decide when an embrace is too lengthy?

Inmates, visitors and guards would probably feel more positive towards these new standards if they were actually more standard and less subject to personal interpretation.

Thank you sincerely,

— David Ferguson  
Instructor S.F. State

Dear Editor:

Help! I'd sure like to know where the hell it is for us newcomers.

Where and how is a new arrival to find out the basic needs of knowledge about this dump and its screwy administration? Surely not from the ancient program information booklet they give ya at R&R.

I drove up Mar. 24 from Vacaville. After my first week slammed in A Section, I find out my girlfriend came three times from Sacramento to see me. And all three times she was not admitted because "she was not on an approved visiting card" and also didn't have prior written permission or a letter from me.

If this administration is so damned "committed to the visiting program" (quote from the warden's memorandum) here, why in the hell wasn't I told ahead of time that I would have to fill out lists, etc.?

This is just one of the many things that has happened as a result of not knowing about this prison and its systems.

I now sit in Max B after an I.C.C. hearing I knew nothing about. I point out that I wanted to appear at the hearing — and know that I could have — but no one has bothered to inform me how this is done. I guess the "play dumb" cops don't know either.

I can't even bitch to an assigned counselor because even if I had one no one has told me his or her name!

It's not that I'm just kicking back waiting for information to come to me. When I am lucky enough to catch a cop walking by my cell, any answer or excuse he may give me is to no avail.

I'm more than sure I'm in need of some orientation around this place, but I'm not sure who needs the help more — we newcomers or the administration.

— Chuck Ferguson C-26570

write to them.

Can I get a second on this? I personally would appreciate such a list.

In regard to another matter, it is amazing that my letter concerning slavery was printed. How about that?

— Carl Harp C-7100

Where to Write

U.S. Senators  
Sen. Alan Cranston  
452 Russell Senate Office Bldg.  
Washington, D.C. 20510

Sen. S. I. Hayakawa  
6221 Dirksen Senate Office Bldg.  
Washington, D.C. 20510

U.S. Congressmen  
Rep. John L. Burton  
1714 Longworth House Office Bldg.  
Washington, D.C. 20515

Rep. Don H. Clausen  
2336 Rayburn House Office Bldg.  
Washington, D.C. 20515

State Senator  
Sen. Barry Keene  
Room 5053 State Capitol  
Sacramento, CA 95814

State Assemblyman  
Assemblyman William J. Filante  
Room 5130 State Capitol  
Sacramento, CA 95814

Crook vs. Capitalist

*A criminal is a person with predatory instincts who has not sufficient capital to form a corporation.*

— Howard Scott

Section No. 1 — Complete and bring with you on Mother's Day to present with your identification card.

Son's Name \_\_\_\_\_ A, B, or C Number \_\_\_\_\_

Parent's Name \_\_\_\_\_

Address \_\_\_\_\_

Section No. 2 — Complete and return by mail immediately.

I plan to attend the: Protestant ( ) Catholic ( ) Church of Christ ( )

Mother's Day Service

Son's Name \_\_\_\_\_ A, B, or C Number \_\_\_\_\_

Address \_\_\_\_\_

I will arrive at the East Gate by 7 a.m., on Sunday May 10.

Mail to: C. H. Wilson  
Activities Director  
California State Prison  
San Quentin, CA 94974

Mother ( )  
Father ( )

My Address is \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please Send the San Quentin News to me for the following:

- ☐ 1 Year, \$2.00 (\$4.50 outside Continental U.S.)  
☐ 2 Years, \$4.00

Make all checks payable to the Accounting officer.

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ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP \_\_\_\_\_

Mail To: Accounting Office, San Quentin, CA 94964



## Furniture Factory Security Changes. . .

Continued from page 1

property. It was determined by the administration that prison-made wine could be stored in them. All existing lockers that were in the furniture factory have been removed.

During an interview with Correctional Industries Manager Roy English, additional information concerning new policy and operational systems was obtained. Discussed first was the pressing issue of the rumored inmate pay raise

finished goods per month in order to break even. It currently does not come anywhere near that figure.

English, recently transferred here from CMF in order to help San Quentin industries get back in the profit margin, is optimistic. He expressed his hopes that inmates and staff will work with him in achieving this goal.

Some of his personal feelings on achieving better working standards are to treat workers

the committee members and Mr. English. This meeting was a preliminary see-where-each-party-is-coming-from meeting to set the stage for the committees meeting with the prison administrative representatives, which will be held within the next couple of weeks.

Between 80-100 furniture factory workers were fired from their job assignments due to the new screening system instituted because of the Sickles' incident. The reason for the dismissals, according to English, were based on 115s for assault on members of staff or correctional officers, or for any involvement with booze in the last six months. He went on to state that workers who were fired because of these reasons will be eligible to reapply for employment in the furniture factory 90 days after being fired.

The structural changes instituted in the furniture factory, specifically the partial removal of the firewall between the cutting and milling departments and the chair assembly area, were carried out under the instructions of Mr. Beal, vocational auto instructor.

Beal pointed out that he was instructed by the administration to remove the lower portion of this firewall and was told no plexiglass was to be installed in the place of the removed wall. With this fact revealed, the truth of the matter is that the whole purpose of the firewall is thus eliminated. This will be a matter for the soon to be formed occupational Safety and Health Association representative committee to look into in order to insure staff-inmate protection, as pointed out by Mr. English.

English also pointed out that he has made arrangements with 4 Post to secure five telephone calls per working day exclusively set aside for furniture factory workers. He is also arranging to secure week-night and weekend calls in the housing units for industries workers. This practice is temporary until the planned phone booth for the industry area is installed. The only hold up on this matter is the bureaucratic moves to be made to allow Ma Bell or some other telephone service organization inside the walls to complete the connection. So it should be any moment now. The phone lines are inside the institutional offices by the East Gate.

This article will be followed up by an article with interviews of the furniture factory workers and their feelings and opinions of the "new" policy and security changes instituted in the furniture factory.

*We enact many laws that manufacture criminals, and then a few that punish them.*

— Benjamin R. Tucker

housed in dormitories allowing 6-square-feet of space for each inmate. By Aug. 1, 1983, Justice ordered, every inmate kept in a cell must have his or her own separate cell. The corrections department currently keeps many inmates three and four to a cell.

Justice also ordered the state to hire enough guards to increase its guard-to-inmate ratio from the current one guard per 11 inmates to one guard per six inmates by Nov. 1, 1982. The national average is one to five.

as an unwarranted expansion of constitutional requirements that will cost Texans "billions" of dollars. He said he will file an emergency appeal with the U.S. Court of Appeals in New Orleans.

"We're not required by the Constitution to build hotels for prisoners," White told reporters. "You're talking about several billions of dollars, maybe \$3 billion or \$4 billion just for prison construction. The court didn't appropriate any money today."

Justice set a deadline of Nov. 1, 1983, for the state to reduce its overall inmate population to the number of cells plus the number of inmates who can be

## Warden Sumner Meets With Industry Workers, Staff

By Jimmy Price

In the aftermath of an industries supervisor being killed here at San Quentin recently, Warden George Sumner called a special meeting with about 150 furniture factory workers Apr. 15 in the gymnasium.

Sumner said that the meeting was called as a result of the fatal assault on Charles Sickles, a wood products foreman, Mar. 30, which was the first employee death here in several years.

The meeting was reportedly the first of its kind between Sumner and the industries workers and appeared to be at the urging of concerned industrial supervisors who were also present.

Referring to the involvement of alcohol as a factor in the Sickles incident, the warden said he is concerned about the drinking of prison-made wine in the industries area and noted that stricter controls would be implemented.

"I do care about life — both inmate and staff — and we have to do what we can to control the booze," said Sumner.

Specifically, he said that two correctional officers would be assigned to search for wine and to detect any drinking.

Also he noted that workers would not be allowed to carry any parole bags, laundry bags, pillowcases, or other bulky items into the maintenance-industrial complex — presumably to restrict the possible import of wine ingredients.

Sumner said that all furniture factory workers were being screened for "troublemakers" and that many would not be allowed to return to their jobs. He added, however, that workers housed in the west block would have 30 days to find new jobs in order to maintain their honor-block status.

Roy English, industries manager, later told the News that the screening committee was firing prisoners who have had disciplinary write-ups involving alcohol or violence within the last six months.

Although it appeared to be more of an informational meeting than a forum for airing grievances, a few important concerns were raised by the workers.

On the long-standing issue of prisoners being forced to work in the furniture factory, Sumner said that they "don't want any hardcores who don't want to be there" and granted workers a one-day grace period to resign their jobs without fear of disciplinary action being taken against them.

The News learned later that approximately 17 men took advantage of that opportunity and quit their jobs.

A major grievance raised by the workers was that of the changing, arbitrary criteria for housing assignments in the west honor block. Many voiced the objection that if they were screened as being fit to work in industries, then they should also be fit to live in the honor block.

Sumner asked a nearby officer to take a sign-up of those who wished to apply for west block housing.

Several workers asked about pay raises. The maximum allowable wage at present is 35 cents an hour. Starting wage is 12 cents an hour. English said that a pay raise is presently under discussion in Sacramento, but that no decision had yet been made.

In closing the meeting, Sumner said that other grievances would best be handled by forming committees among the workers and presenting those grievances to industries management personnel.



CATHOLIC CHAPEL VOLUNTEERS familiar to prisoners in B and C sections. Pictured above are James C. Barnes, Ken Gregorio, Rudolph Vasquez, Tom McNally, Joaquin Perez, Pat Conroy, Gonzalo Mayorga, Father John J. O'Neill, and Orlando Romero. Missing are Rich Rikow, Larry Guerrero, and Jim Pazzarella.

## No More Prisons . . .

Continued from page 1

concern over violent crime with "a blank check" for state and local authorities.

"Heavy federal funding given with a blank check is not the answer," Diegelman said. But financing "carefully directed programs" is one means of attacking violent crime, he said.

As examples, Diegelman suggested focusing on violent juvenile offenders, noting that people under 18 commit up to 20 percent of all violent offenses. He also pointed to a "career criminal program" that would give priority to prosecuting and imprisoning repeat offenders.

William P. Tyson, the Justice Department official who oversees the work of the 94 U.S. attorney offices around the country, said that if federal investigators accelerated their production of cases, prose-

cutors would be driven "against a brick wall. We would just not be able to absorb" a larger number of violent-crime prosecutions, he said.

Illinois Governor James Thompson said it would be irresponsible for the panel to recommend an expanded attack on violent crime without calling for more federal prosecutors.

Tyson noted that both the Carter and Reagan administrations had instituted a hiring freeze that prevented the U.S. attorneys from adding 400 employees authorized by Congress when it created a record number of 152 new federal judgeships in 1978.

"There is perhaps some frustration among investigative agencies now" over U.S. attorneys' responses to their recommendations for prosecution, Tyson said.

## Reform for Texas Prisons . . .

Continued from page 1

to the courts, and comply with all state fire, safety and health codes.

Justice, who already had approved a partial decree in which the state agreed to improve health care and make other changes, completed his orders to the state with the recent final decree and appointed a special master, Toledo, Ohio, lawyer Vincent M. Nathan, to work out the details and make sure the state complies. Justice ordered the state to deposit \$150,000 with the court to cover Nathan's costs and his \$95-an-hour fee.

Attorney General Mark White blasted Justice's order



# First Semiannual West Block Tennis Tournament Concluded

The first semiannual West Block Tennis Tournament was held April 18-19 and 25-26.

East blockers were allowed to participate, and from their ranks came one Richard Strook — who dethroned the perennial George McKinney in the finals.

There were many good matches and very few onesided ones. James Hangan was voted by Tournament Director McKinney as the Most Improved Player of the Year. It was a tough choice between Hangan and Larry Jones, who may have some unorthodox ground strokes but always seems to get the ball back and surprised some players who took him lightly.

Because McKinney was tournament director, he

Atwood, an excellent athlete, who gave notice that just a little more court time will put him in the same class as Strook-McKinney.

Third place went to James Hangan who now has all the strokes and power and only needs to get some experience against better players to make him equal to all of them.

It was a consensus of the players and Assistant Tournament Director Craig Stevenson, that the award for Best Sportsmanship go to John Ellis, who never questioned any calls and served as ball chaser and linesjudge when not playing. Once John gets his big booming serve under wraps, he will be a top-quality player.

There was a total of 30 matches played over the dou-



PARTICIPANTS AND WINNERS of the west block tennis tournament.

agreed not to participate for the prizes. First place went to Richard, who split matches with McKinney in two excellent sets of power versus touch — with touch prevailing.

Second place went to Dewitt

## A Brief History Of San Quentin

By Bill Torres

Institutions and individuals have at least three common characteristics: They are born, they grow, and they die.

On April 25, 1851, two political scoundrels, Gen. Mariano Vallejo and Estell, leased the total number of California State prisoners, only five convicts at that time, for a term of 10 years.

Then, on Bastille Day (July 14) of the year 1852, the brigantine *Wabu* was towed to Point Quentin with a cargo of 40 to 50 convicts. What was to become San Quentin State Prison was founded on that day. The population quickly outgrew its makeshift quarters. By year's end it had tripled and invaded the land.

The Stones, located where the Adjustment Center stands now, was built and filled with about 250 inmates by January 1854. The institution grew, with its numbers exceeding 350 by December 1854 and 418 by the end of the following year; in May 1859 there were 607, including two females, decreasing to 567 after a prison break on June 27 of that year. Prison scandals were outrageous.

In December 1860, The state took San Quentin prison from private hands with a count of 554, the population continued to grow. If reach the magic num-

Continued on page 4

ble weekend, and each one was worthy of mention. However, the big challenge was flung by Jon Deputy of east block. Old, grey headed, fat men were supposedly going to get a comeupance once they tangled with "Superspeed." Jon could not get through the beginning ranks. They'll be older and fatter and greyer. Maybe he'll be smarter and better and, then, may be some competition.

## Vets Must Give Arrest Notice

Recent legislation has significantly restricted payment of monthly V.A. benefits to incarcerated veterans and other beneficiaries. To avoid overpayments, those in receipt of V.A. benefits must be identified as soon as possible. Incarcerated veterans or beneficiaries receiving benefit payments must notify the V.A. of their incarceration immediately to avoid large overpayments. It will be necessary to complete a form that may be obtained in the prerelease office. These forms will be used in lieu of V.A. form 21-4193.

This form will allow the Veterans Administration to identify affected beneficiaries and provide them with information needed to make appropriate awards or adjustments. The completed forms must be mailed to the San Francisco Regional Office at 211 Main Street, San Francisco CA 94105, Attn: Flo Neal, 271B1. The envelope must be marked "Do Not Open in Mail Room." If you have any questions regarding this please contact the prerelease office.

# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 17

TAMAL, CALIFORNIA 94964

Friday, May 8, 1981

## Passover Seder

# Congregation Beth Shalom Hosts Holiday Gathering

By Casey Burke

San Quentin's Beth Shalom Temple celebrated the Jewish Passover on the night of Apr. 22. The service, attended by approximately 90 prisoners and outside guests, was held in the visiting room.

Passover is an ancient Jewish custom. It is their way of renewing their dedication to a way of life that has known both slavery and freedom.

Cantor David Unterman, opened the service by welcoming all present to this year's Passover celebration. He invited everyone to join him in thanking God for delivering the Jews from bondage in Egypt over 5,000 years ago.

Passover is rich in Hebrew custom and heritage. Through the use of ceremony and symbolism, Jews the world over set aside this day to relive the Passover experience.

The Passover ceremony started with the lighting of the festive candles, which was

carried out by Blanche Blachman while Cantor Unterman recited Kiddish. Kiddish is a benediction recited over wine and bread on the eve of the Sabbath or a festival.

David Magris then said the blessings. At this time the

ceremonial bread, matzoh. This is to symbolize the sharing of the bread by all peoples in order to form a bond of friendship.

Next step in the proceedings

Continued on page 4

## History of Passover

Passover is an annual feast of the Jews, instituted to commemorate the sparing of the Hebrews in Egypt when God, smiting the first born of the Egyptians, passed over the houses of the Israelites which were marked with the blood of the lamb. It is celebrated on the evening of the 14 Nisan and by extension includes the eight (formerly seven) days following, during which only unleavened bread may be eaten. In general, the same ceremonies are observed now as anciently.



CANTOR UNTERMAN

whole group drank from the first cup of wine. This was followed by the breaking of the

## SQ News Issue Not Published

The San Quentin News was not published last Friday due to the maintenance-industrial complex being closed down April 30. Security Squad personnel apparently spent that day searching the area for escape paraphernalia.

## 3 Guards, 2 Cons Shot in B Section

The PHU gunrail officer fired three shots Tuesday to break up a scuffle, wounding two convicts and three guards, prison authorities have announced.

The incident occurred in the protective custody housing unit at 3:16 p.m., said SQ spokesman Mike Madding.

The two convicts, were reportedly under the influence of pruno, were pitching jars at other inmates, Madding said. They argued with the guard who tried to quiet them.

As two other officers went to the first guard's aid, the convicts lunged at him, Madding said. A fourth guard fired three rounds of birdshot from a riot gun to halt the fray.

The ricocheting pellets hit the first officer in the chest, head and eye, and grazed the two prisoners. Several pellets also sprayed the other two guards.

Madding said the first guard was taken to Marin General Hospital for treatment and observation and is reported in good condition. "His eye is not threatened," he added.

The two convicts were then treated and placed in SHU II.

The other two guards required no medical treatment.

Madding said the prisoners' identities will be withheld until charges are filed with the State Department of Justice.

## Rit On

By Bill Torres

Communication is the basic human need. All men are islands connected to the main by bridges of understanding. We demonstrate our attitudes with body language or kinesics, we verbalize with words and sounds, and we illustrate with man's latest and least developed means of communications, graphics and writing.

San Quentin inmate Al Fonseca has devoted a large part of his life to developing a means of writing in an abbreviated form which eliminates the awkward, sometimes embarrassing, need to spell words fully, by taking advantage of phonetics. Al calls his method FSR, Fonseca Speed Writing.

FSR does not use special symbols, as shorthand methods do, although the letter Q stands for the sound *ow* as in *now*, the letter Y for the sound *oy* as in *boy* (the letter Y is also used in what Al calls the "schwa" sound in such words as *dumb* and *some*), V stands for the high-frequency word *of*.

Continued on page 4

Weekend Movie

## Rodie

Meat Loaf as an innocent Texas kid who unwittingly gets swept up in the business of rock and roll and becomes the ultimate roadie. Also stars Kaki Hunter, Art Carney, and Don Cornelius. Music is provided by Alice Cooper, Blondie, Asleep at the Wheel, Roy Orbison, Hank Williams Jr., and others. Rated PG.

Mexican Movie

## El Circo de Capulina

No story information



## Workers Voice Opinions About Factory

By Casey Burke

A general attitude of uncertainty prevails in the minds of the correctional industries workers over the new policy and security changes recently put into practice in the San Quentin correctional industries.

The overall concern voiced by the factory workers during interviews included some of the following opinions and responses.

Probably one of the main concerns is the wage issue. During the interviews with inmate furniture factory workers, the majority are in agreement that a pay raise is needed in order to create more incentive.

It was stated from furniture factory work supervisors and industry workers alike that they strongly feel that a pay increase would strengthen worker-employee relationships by giving the workers something to look forward to and work towards, relieving tension and enlightening the attitudes of the workers.

When asked if they liked working in the furniture factory, the majority of the workers replied in a positive manner. Some were quick to point out that they were basically happy with working down in the furniture factory, except for all of the contradictory changes in policy that seemingly occur every day. The workers said that this was discomfoting and often frustrating because a work supervisor would give them an order which would be overruled by the industries management a few minutes later.

The furniture factory workers expressed their wishes that the industries management get their "act together" so as to avoid putting the work supervisors and workers in conflicting positions which could result in an unnecessary conflict of interest or bad feelings between a supervisor and his workers.

The News asked what the workers thought of the management. The general consensus in answer to this question was that the industries management is basically good — if the industry management carries through with its proposals and remains truthful to the working force of the correctional industries. The work-

ers went on to comment that they are willing to give of themselves in order to produce higher quantities of finished goods if the management is willing to give of itself in the form of incentive benefits for the workers. They stated that this previous attitude of management, of getting something for nothing out of the workers is unjust and should be rectified in fairness to all parties concerned.

When asked what benefits they thought that they deserved and would give them a greater incentive to work. The following are some of the replies: To have the proposed pay raise go into effect as soon as possible. Be able to have some kind of locker system for furniture factory workers so that they may put their personal items in them while at work. This problem was pointed out in a statement by Rodney Raposa, machine operator in the cutting and milling department, "I believe that some policy should be enacted that would allow furniture factory workers to at least bring an extra set of clothing, if he's expecting a visit so that they wouldn't be forced to go out to a visit all sweaty and dirty." Mr. Raposa went on to state that he and the other workers strongly feel that they should be allowed to bring soap, shampoo, deodorant and other toiletries needed for showering, to work, so that they may take advantage of the showers in the industries area.

Concerning other benefits, Michael Lepai, production control clerk, asks that if workers meet the newly-adopted criteria for working in the industries, isn't this the same requirement for west block housing? And if so, why can't furniture factory workers be housed in west block?

When asked in general how the workers liked working down in the factories, the overall response was affirmative. Julio Guzman says, "I love it." The reasons behind this agreement of enjoying working at the furniture factory were stated by the workers as being the following: "This is the program I've chosen in order to better myself and lessen my chances of ever returning to prison." Working in the factories helps combat boredom and idleness. It gives us a little

extra spending money, but this pay still isn't deserving of our work output.

"Portagee," mattress factory worker, states that the inmate wage should be raised in order to compensate for the rise in canteen prices. He points out that this should hold true for all inmate workers in CDC. He added, "That all the industry shops are in poor condition. Their safety standards are not up to date."

The furniture factory workers were asked by the News for their views concerning how they felt about the new administrative policies instituted in the furniture factory (i.e., restrictive movement in the factory, the addition of two security personnel). In response to the new policy of having to have a pass to go from one department to another, most of the workers felt strongly that this was a poor practice because it cut into production time having to go through all the changes of getting the passes. Frank Henderson says, "I have the feeling of confinement within a confined atmosphere and it's most disturbing. So much so that it interferes with my work output." These feelings are expressed of the new ruling of staying in your assigned work area. Mr. Henderson went on to state that he feels that it's unfair to require factory workers to stay out of the furniture factory at noon-time until the back-to-work horn sounds. "That sun's mighty hot," says Frank. "And what happens when it rains?"

This opinion against the new pass policy was shared by Mr. David Murfin, rough cutting department supervisor, who states, "The enforcement of the new policy of inmates having to obtain passes in order to leave their assigned areas creates a lot of unnecessary paperwork for the factory supervisors, thus taking them away from more important matters of keeping production at a high standard." Murfin went on to say that the pass policy endangers the worker-supervisor relationships. On the other hand, Mr. Owens, desk assembly supervisor, says that the pass system is a good one and he feels that the workers can see that this policy is for their safety as well as the freeman's. Owens adds that he tries to work with his workers and give them a fair break. He does admit, however, that changes are needed in order to give the industries workers more incentives.

After speaking with Mr. David A. Martin, the News learned that arrangements are being made to provide a counselor for the furniture factory workers. It is proposed that a counselor will be made available one day per week down at the furniture factory.

### San Quentin News

USPS 480-700

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner . . . . . Warden  
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## 200 Law Students Tour San Quentin

By Jimmy Price

Approximately 200 law students from Hastings Law School and from Boalt Hall at the University of California, Berkeley, attended the Warden's Tour and banquet here at San Quentin Apr. 11.

According to administration spokesman Mike Madding, the tours were originated during

sett, one of the guides, told the News that inmates were first used as tour guides about eight years ago. The original guides were hand picked by the prison administration. New guides are nominated by established tour guides and are approved by the warden. There are presently seven inmate guides



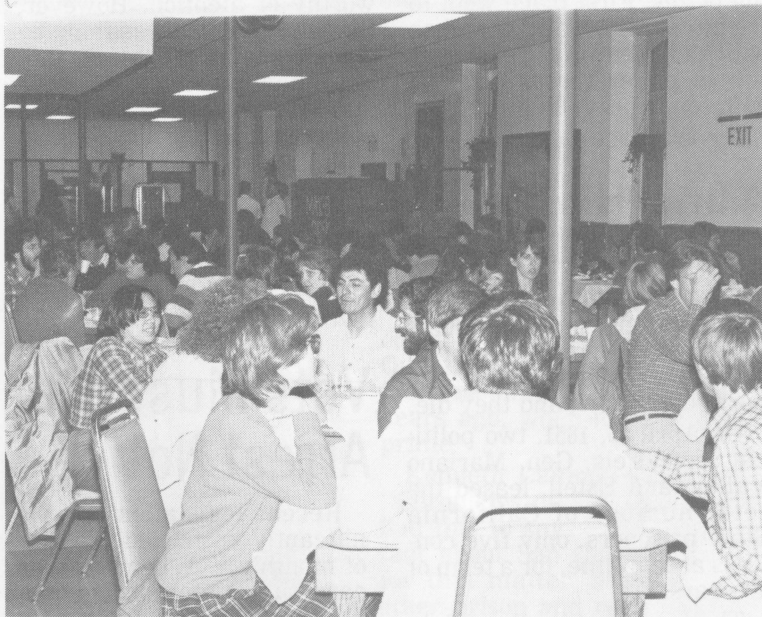
A COLD AND WINDY NIGHT for this Warden's Tour group.

Warden Clinton Duffy's tenure here (1940-51) as an effort to increase the public's awareness of San Quentin and to invite their interest and involvement in prison programs.

The tours are conducted about once a month during the months of March through October. They are open to law enforcement agencies and to

who conduct the tours.

The tours begin with a view of San Quentin's infamous gas chamber, where 195 legally sanctioned executions have taken place. Entering through an outside access door, the tourists are told the history of the chamber and the status of California's death penalty.



LAW STUDENTS enjoy banquet before starting on the Warden's Tour.

college classes in criminology and the administration of justice.

Arrangements are made in advance through the warden's office and the tours begin with a lavish buffet-style banquet in the prison visiting room. Following the meal, guests are divided into several smaller groups to begin the tour.

Each group is assigned an inmate tour guide. Bear Blam-

From there, the groups are led onto the upper yard through the north block rotunda. The route then leads around through the Portal Plaza and down the hill to the industries complex. Historical notes are given by the guides along the way. Later, in the gymnasium, there is a question-and-answer period between each guide and his tour group.

The groups then go on to tour the west honor block, where the cells on senior citizens' row may be viewed.

This particular tour was brought to a close in the north dining hall, where guests were entertained by three prisoners' music groups—The Brothers of Soul, The Perfections and The Jazz Sound.

Interested groups should contact the warden's office concerning the tours. A charge of \$5 per person is made to cover the cost of the banquet meal served.

### New Schedule for Handicraft Business

Effective immediately, the following schedule will be strictly adhered to when conducting any hobby business:

Furniture factory workers . . . . Tues., 6:20-8:20 p.m.  
Education department workers . Thurs., 11:30-12:30  
Food service workers . . . . . Thurs., 1:30-2:30  
Close custody inmates . . . . . Thurs., 11:30-12:30  
Others . . . . . Thurs., 8:00

No business will be conducted on Fridays. Ms. Wu will be conducting business for the ranch and the east gate store on that day.

Ducats will be required for hobby shop business. Anyone requiring a ducat for any purpose should call ext. 397 or write to the hobby shop. Include your name, number, custody, and work assignment in any requests for ducats.

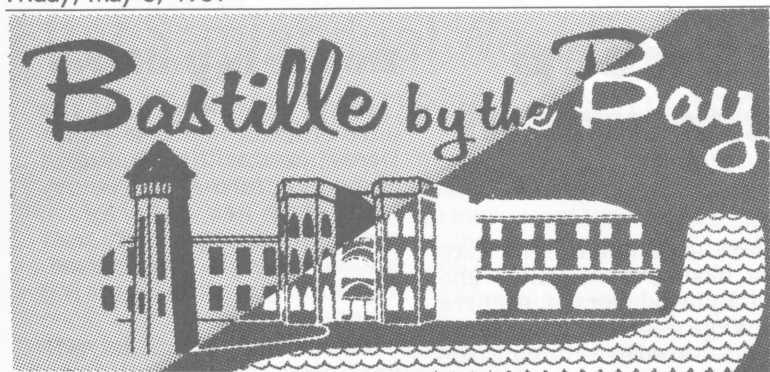
Also please be advised that the hobby shop will be closed during the weeks of May 11 and 18.

### Raku Firing Set for May 9

There will be a special Raku firing — the old Japanese technique of firing ceramics — on the lower yard Saturday, May 9.

Ceramics buffs should contact Ms. Lois Wu in the hobby shop to sign up or call ext. 397 for further information.





By Joe Morse

Well, I guess I've left the hoards of readers hanging long enough. Time to announce my board results . . . Would you believe they downed my shit again? Yep, and in less than an hour this time.

Receiving another denial came as no surprise. The Board of Prison Terms and Parole has developed an uncanny ability to transform into mugwumps the moment there is the slightest bit of opposition to a lifer being released. In my particular case, an assistant district attorney who prosecuted me in the early '60s attended the hearing and proceeded to tell the board that 20 years of reports compiled by the Department of Corrections mean nothing. I was somewhat surprised when he suggested that the entire Department of Corrections is a group of incompetent bunglers who are routinely hoodwinked by manipulative cons, but what the hell? He says the same thing about the parole authorities when he argues during the penalty phase of a murder trial.

Many lifers will have more than one dealing with the board. It tends to disillusion the con making a plea for parole but only until he learns just who he is dealing with. The parole authorities are, for the most part, a group of political appointees whose future is determined by his or her actions while a member of the board. In other words, they do nothing that will reflect on them in years to come. This being another era of law and order, I saw I had little chance for a favorable ruling at this hearing.

So . . . I've been directed to keep up the good work and return next year. I plan to do just that. One of the ways I will pass the next year is by compiling a few facts and figures concerning the Board of Prison Terms and Parole. More and more people are becoming aware of the fact that the board is actually nonfunctional in one respect. At the same time, they are depriving the taxpayers of badly-needed funds. I say this because of their insistence upon reviewing nonlifer's cases annually.

All county jails, county camps and the federal prison system are able to calculate goodtime and worktime without the aid of a parole board. There's no necessity for a nonlifer being taken before the board each year to afford him what he has legally earned.

In spite of this, one or more people have decided to continue a policy of an annual review of nonlifer's cases. This review will result in a paycheck for the board members, the classification and parole representatives, the counselors who submit reports and X number of clerks and secretaries in Sacramento who compile the individual's records and note that a certain amount of goodtime and worktime has been credited to a particular prisoner.

At any rate, the board has suggested that I demonstrate my capabilities of being a law abiding citizen. What better way of demonstrating concern for society than to point out how their hard-earned tax dollars are being spent?

\* \* \*

Enough board bullshit. What else is happening around here worth mentioning? For one thing, it looks as though Sacramento plans to order the standardization of all cells in San Quentin. What will all this mean? From what I've heard so far, it means a severe restriction of items we can have in our cells. The only figure I've heard so far is "two orange boxes of personal property — excluding hobby and law material." The CDC never fails to amaze me. SQ and Folsom will be holding people with longer sentences, but we are expected to garner the same amount of personal property as someone serving a short sentence. Nothing to it. All it really means is we'll have fewer socks in which to masturbate.

\* \* \*

Looks like the west block hasn't been excluded from the continual change of the place. Reports are that the curtains are coming down — except for citizen's row. The mere mention of this has already kicked off some interesting responses. One row resident has written an irate commentary which will appear soon. He no doubt heard some of the responses on the tier.

"Hey, you stinking rat," growled one second-tier resident to a con on the row.

"You call me that again and I'll have you moved out of the block," came the response from the first tier.

Well, I live on the row and I like having a curtain, but I can't see any way to have a caste system without creating dissension. Besides, having no curtain would enable me to flash for the tours.

## Supreme Court Denies Hearing on Lockdowns

WASHINGTON (AP) — The Supreme Court refused to hear arguments that the rights of San Quentin inmates were violated by and during a five-month "lockdown."

The court, without comment, left intact rulings that the lockdown, a period of tightened prison security, was not cruel and unusual punishment and did not violate the inmates' due-process rights.

Had the Supreme Court ruled in favor of the convicts, prison officials might have had to hold administrative hearings before locking inmates in their cells when there is trouble at the prison.

"We have had substantial erosion in the ways we can manage the prison," Warden George Sumner commented. "We are certainly glad the courts didn't take this away, too."

"We need the ability to lock down the prison in emergencies in order to save lives."

The case taken to the high court stemmed from 1974, when there had been 82 assaults with weapons and 12 murders of inmates at the prison, as well as eight assaults with weapons on prison staff members.

On Dec. 19 of that year, two inmates were killed in separate incidents of prison gang violence.

Prison authorities, fearing ~~that the violence might spread~~, imposed a lockdown of the entire prison — at first requiring all inmates to remain in their cells 24 hours a day.

The inmates were fed meals in the cells and were not allowed to participate in the various activities available during periods of normal routine.

Gradually, the regimen was relaxed. For example, within two weeks the inmates were allowed to eat one hot meal a day in the messhall, and exercise periods were reestablished by February 1975.

A group of inmates, however,

sued the prison authorities on charges of violating their constitutional rights.

The lawsuit contended that the prisoners were entitled to a due-process hearing to determine whether the lockdown was necessary. It also charged that the lockdown's duration, in the absence of a hearing conducted by an impartial "factfinder, violated inmates' constitutional protection against cruel and unusual punishment.

A federal trial judge dismissed the suit, and the 9th U.S. Circuit Court of Appeals last Oct. 3 upheld the dismissal.

"There is no due-process right to the hearing sought . . . in this case," the appeals court said.

"In so deciding we do not minimize the seriousness of a lockdown nor do we deny that administrative review of a lockdown decision might be desirable. We are simply unable to say that the Constitution dictates such a procedure."

In seeking Supreme Court review, lawyers for the inmates argued that the lower courts were misreading past rulings on procedural due-process rights for prisoners.

The California attorney general's staff urged the justices to reject the appeal. They argued that the lower courts were right, and that, in fact, the lockdown did not last five months.

"In this case what occurred was a short lockdown followed by a physical and procedural reorganization of San Quentin," the state's lawyers said.

Mike Madding, prison information officer, noted that officials often use lockdowns, as they have several times this year, to prevent incidents from escalating into even more widespread violence.

Locking all the prisoners in their cells while incidents are investigated gives time for tempers to cool and provides that no one else will be injured, he said.

## Reduction of Night Movement To Law Library

As of May 21, night law library will be reduced to one night per week. Thursday has been selected. It seems that Tuesday night visiting cuts into the night law library participation.

The law seminar will still be conducted on the first and third Tuesday of each month, through the month of August. Sign up in the law library. It is a first come first served basis.

## World of Poetry Sponsors Annual Poetry Contest

A \$1,000 grand prize will be awarded in the seventh Annual Poetry Competition sponsored by World of Poetry, a quarterly newsletter for poets.

Poems of all styles and on any subject are eligible to compete for the grand prize or for 99 other cash or merchandise awards, totaling over \$10,000.

Says Contest Chairman Joseph Mellon, "We are encouraging poetic talent of every kind, and expect our contest to produce exciting discoveries."

Rules and official entry forms are available from the World of Poetry, 2431 Stockton, Dept. B, Sacramento, CA 95817.

### Movie List

May 9 — "Roadie," PG, 106 min.  
May 9 — "El Circo De Capulina," (Mex) PG, 89 min.  
May 16 — "Flash Gordon," PG, 110 min.  
May 23 — "The Gong Show Movie," R, 89 min.  
May 25 — "California Dreamer," (Hol) R, 92 min.  
May 30 — "The Big Red One," PG, 111 min.  
June 6 — "Scanners," R, 94 102 min.  
June 13 — "Private Benjamin," R, 110 min.  
June 13 — "Flor De La Mafia," (Mex) PG, 91 min.  
June 20 — "Bad Timing," R, 120 min.  
June 27 — "Hollywood Knights," R, 91 min.

## Letters

Dear Editor:

I'm sitting here in county jail awaiting my return to the system. I've been able to get hold of recent copies of the SQ News which I always read — cover to cover.

After reading some of the latest developments around the system, I've finally found a way to make the system work.

First off, we change the system's name to the California Convicts Corporation. Ya see, folks, convicts are a commodity. Now towns are even asking for our business.

The second step is to sell stock in the corporation. We can't help but make money! Hell, we could even have a profit-sharing plan for the convicts. This way everyone would have money and the folks up front wouldn't have to be bothered with all the bookwork required for men making 12 cents and hour.

Think about it — it's the American way!

—Dawson Gentry B-51571

Dear Editor:

Perusing the Sept. 19, 1980, issue of the News, I noted an appeal for the cellophane wrappers on a pack of cigarettes. According to the article, H. S. Centoni was the sponsor of the program.

Is this program still in effect?

Would outside donations of cellophane wrappers be accepted?

Any information you could give me would be appreciated.

Respectfully,

—Mrs. M. P. Giovanni

Dear Editor:

What has happened to the Department of Corrections? Things used to be that if a convict did his time and showed signs of improvement, he was left alone and not hassled with transfers.

Today, you have cons trying to do their own number, programs and such. But the CDC steps in and because we are doing what we were told (programs and such) we are doing good. It seems to me, that CDC is only happy when the convicts are being hassled. Why?

Convicts used to be treated with a little bit of respect. Now if you don't get down and spitshine the Man's boots, you don't have anything coming.

It seems to me that all CDC cares about is the money that they get for each body — or should I say piece of meat — that they transfer. Sounds like the cattle market to me. Here, you take this one to Folsom, he's a mean one (with his pen only). Here's another one, he's getting too fat, must be stealing from the chow hall. Uh Oh, here's another, look at how clean he is. He has got to be dirty in some kind of way. Shake him down!

Somewhere there has got to be a remedy. If there is such a bed shortage like they say, what's with the buses coming in and dropping off those men in the white CDC suits? I don't think they are a figment of my imagination, are they? Tell me, please! What has happened to the Department of Corrections?

—Edmund A. Asbury C-19788

Dear Editor:

Two things if I may. First off, in a previous issue of the News I complained about being able to attack illegal and erroneous information in the central file. My letter and my complaint were generalizations

and incorrect. Anything in a central file not marked confidential can be attacked and removed if it is determined to be erroneous or illegal. Material that is deemed confidential cannot be attacked by any means — unless one has documentation to prove it is erroneous or illegal. Your criticism of "think before you write," is a good one.

Secondly, from a previous letter also in the News, I talked about slavery and the 13th Amendment. Some think I am against private industry and minimum wage programs in prison. Such is not the case. I'm for such programs if they are coupled with a reduction in the number of prisons and prisoners, plus are geared towards helping a prisoner become a productive and positive member of society and making the prisons self-reliant and profitable. I'm against such programs when they are geared only towards making prisons self-reliant and profitable — and prisoners wage slaves.

Sincerely yours,

—Carl Harp C-7100

Dear Editor:

Pen pal friend and jazz-poet musician Michael Sawyer, B-88468, recently forwarded a copy of the San Quentin News. I enjoyed your column Bastille by the Bay and forwarded the inflatable doll story to my friend Herb Caen, with whom I enjoy a happy but thin correspondence. (I gave him a lead paragraph in 1980 re how racist the U.S. census is in evaluating ethnic origins on their questionnaire, discovered while I was working as a Census Edit Clerk in Berkeley.)

Re your column, it's a testimony of sorts . . . how humor may be the saving grace in prison. I checked out the canteen list and the only thing I'd want to order is a can opener.

Best,

—Carmen Schimizzi



## Congregation Beth Shalom . . .

Continued from page 1

is to dip a piece of the matzoh in the horseradish provided in a small cup on each table. This eating of the maror was to symbolize the bitterness of slavery suffered by the Jews.

The last step in this special ceremony of the blessings is the eating of haroset — a mixture of raisins, nuts, grains, and a syrup — and maror between two pieces of matzoh to symbolize the freedom, the slavery and the hope of redemption.

At this stage, Howard Rook read the Four Questions, which were: Why is this night different from all the other nights? What are the precepts, laws,

and the congregation, the theme of "Slavery to Freedom" was always present. "Dayenu," according to Cantor Unterman, means, "enough already."

When Andy Slitzker finished reading the Symbols of Passover, Cantor Unterman came forth and gave the ceremonial blessings.

Grace was then said by Cantor Unterman. All present then retired to the dining area where two large tables were overflowing with succulent foods.

Mr. Young and the snack bar culinary staff are to be commended for their well-



CANTOR UNTERMAN AND BLANCHE BLACHMAN singing praises during the seder.

and observances which the Lord our God commanded us? What is this observance to you?, and What is this? These were followed by the answers, stated by Savage Bergen.

In a robust, harmonic voice, Cantor Unterman led the group in a singsong rendition of several Jewish ceremonial songs. One of which was "Ha Lahama" in which Cantor Unterman, accompanied by Blanche Blachman, sang. Clapping and singing, they made it apparent that Passover is a happy celebration.

Paul Manriquez then told the Four Children's part in the story of deliverance, followed by the Story of Oppression by Tomas Urioste.

"We knew physical servitude in Egypt," read Urioste from the Maggid, "but before that our souls were in bondage."

Rejoicing, Cantor Unterman and Miss Blachman were joined by the congregation in song, "Let My People Go" they sang. Everyone in attendance was seemingly touched by Cantor Unterman's humorous liveliness as there was a definite air of joy and happiness.

Through the Ten Plagues of Egypt, read by Russ Wise, to the singing of the Dayenu by the cantor, Miss Blachman,

## Rit On . . .

Continued from page 1

Other high-frequency words: *the*, *and*, and *are* are represented by Z, D and R, respectively. The letter J stands for the soft g as in *legion*, while X is the ch sound in *child*, C is the sh in *shall*, N represents th *ing* sound and the high-frequency word *an*.

Short vowels are left out in FSR, except when they are absolutely necessary. In those cases, double vowels (such as AA for the short o in *object*, or the a in *water*) are used to differentiate from the "normal," or long vowels.

FSR KN B LRNT EVN BIA XILD, D W PRKTS U KN EEKSED Z SPED V CRTHND. WN FAMS PSJ V Z BL V RITS CD B ESLE RKGNI SD: "KNGRS CL MAK NO LO

RSPKTN N PROHBTN Z FRE EEKSR SIS ZR V; OR STBLCMNT V RLJN OR YBRJN Z FREDM V SPEX, OR V Z PRS; OR Z RIT V Z PEPL PESBLE TU YSMBL, D TU PTCN Z VENMNT FR A REDRS V GREVNSS."

Fonseca Speed Writing can be learned even by a child, and with practice you can exceed the speed of shorthand. One famous passage of the Bill of Rights should be easily recognized: Congress shall make no law respecting and establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

## Shire, Munoz Sweep Handball Tournament

By Jimmy Price

As the dust finally settled and the rays of the new morning sun began filtering through the dissipating clouds of smoke, two battered heroes emerged victorious in the latest handball tournament held Sunday, on the west block court.

Teaming up together to take the first place San Quentin handball championship title were west block's Fred Shire and east block's Tino Munoz — the fastest, toughest, meanest badassed bandball players inside these walls.

But the title didn't exactly come easy to them. On the contrary, they had to get

Next up to match skills were west block's Scott Milton and Red Lybrind versus Aguirre and Vega, with the latter team good-naturedly relieving the west blockers of any further need to hang around.

Having had the opportunity to observe how quickly their fellow west blockers got knocked out of the box, Wayne Parks and Arnold Davis psyched themselves up with some extra growlin' and spitting' before jumping in against Shire and Munoz. It damn near worked, too. With a game apiece to their credits, the deciding third game was hard-



HANDBALL CHAMPIONS Fred Shire and Tino Munoz.

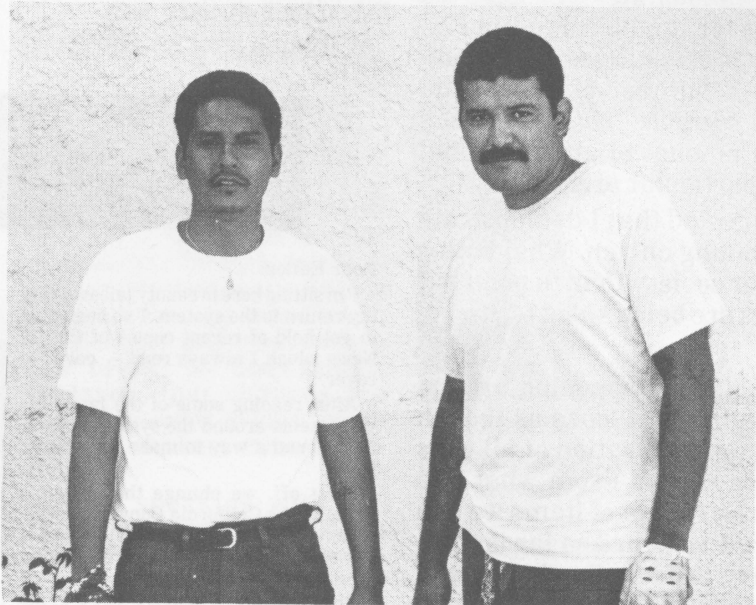
through a pretty rough pair that has placed in the finals in each of the last two tournaments — A Section's Larry Ayala and Juan Ruiz — who again took a second-place victory here.

First down in the playoffs were the west block team of Pancho Aguirre and Manuel

fought and full of action before the soon-to-be champs won out.

Another team was scheduled to play in the tournament, but unfortunately one of the men ventured inside the west block and was gaffled up and banished for being out of bounds.

All in all, it was a fine sunny



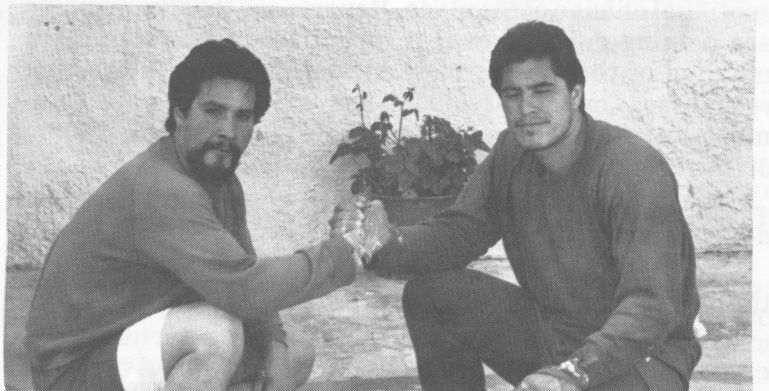
SECOND PLACE WINNERS Juan Ruiz and Larry Ayala.

Vega — two new faces in the recent tournament games — but their sportsmanship and abilities still netted them the third-place standing.

Tournament director Fernando Gonzales and his partner Ray Garcia, both from west block, were first to lead off the matches and, alas, the first to bite the dust. Ayala and Ruiz were just too slippery for them.

But the minor technicality of defeat has never been anything more to Fernando than occasion to sputter a few hearty cusswords and soon he was back at his clipboard to reset the court. His efforts here, at least, are always well appreciated.

day — for the tournament players as well as the spectators — and fans are looking forward to Fernando's efforts to organize another tournament in the near future.



MANUEL VEGA AND PANCHO AGUIRRE took third place.

## Humor in Uniform

Were you aware that the ultra-efficient San Jose Police Department, with their arsenal of modern, turn-of-the-century weaponry are once again proving their superiority over the supposedly drug-crazed, common criminal lurking around our streets.

Two of S.J.P.D.'s finest, officers Rod Gomes and Dave Jenkins can attest to the effectiveness of one of these futuristic crime-stopping devices they used on a suspect Mar. 15.

The officers were called to investigate a routine report of a man running around with a knife. With the new rise of door-to-door butchers, this occurrence shouldn't seem extraordinary. They arrived on the scene to find the man, Hugh Rushin, 44, of San Jose, walking down the street.

Because Hugh was said to have erratic behavior after the officers jumped on his back, these highly trained, chemist-cops naturally assumed that the suspect was under the influence of PCP, an animal tranquilizer.

I'm sure that the statistics will clearly show that our society has recently been invaded by an influx of 44-year-old "dust heads" (PCP users).

After subduing Hugh with a "choke hold," the officers whipped out their new crime-stopping device, the brown paper bag, and slipped it over Hugh's head and neatly secured it by wrapping tape around his neck.

I guess Hugh didn't realize that this device was for his own protection. He was so amazed by this advanced weaponry that he went into a coma and died eight days later.

Whats that old saying, "What's the matter, can't ya take a joke?"

## Brief History . . .

Continued from page 1

ber of 1,000 on Oct. 8, 1874; it was almost 2,000 in 1907; and, finally, on July 7, 1934, it reached its maximum of 6,397! The heights of injustice and the worst of the great depression were at hand.

San Quentin's population count, as shown in today's San Quentin News, is much less than one-half of what it was 47 years ago, when it was in its prime

Kenneth Lamott, author of "Chronicles of San Quentin," had this to say, "The central fact about San Quentin (and, for that matter, about every other prison and reformatory in the country), is that we have run out of any really useful ideas bearing on the treatment of criminals. If we can ever admit the bankruptcy that hides behind the fine, self-deceiving words, perhaps things will be better sometime in the future."

## Hire An Ex-con



# New Visiting Regulations Announced

## San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 18

TAMAL, CALIFORNIA 94964

Friday, May 15, 1981

## Annual Family Day Treat for SQ Moms

By Bill Torres

In the cool morning of May 10, San Quentin looked its Sunday best to greet the mothers of a lucky few.

Forty-two came from all over California, two came from Nevada and one from Illinois. By 7:45 most mainliners had breakfasted on bacon-and-eggs, fried potatoes, orange juice, jelly toast and enough coffee to float a lifer's kidneys. The sun was bright, but kind.

Visitors stormed the east side of the Bastille attacking it with laughter, to see, to touch, to hug, to kiss the ones who stay behind the walls. Forty-five special moms and nine other guests came to share their beaming smiles, the thoughtful looks, the tears of joy, the frowns. They flowed into the Portal Plaza, filling it with their love.

"Do they allow you out of here?" one mom asked, believing we were outside of the joint.

Chiti Miller was there, his head shaved squeaky clean and gleaming in the sun like a huge

bumblebee pollinating the flowers of the garden he loves, carrying arms full of living centerpieces for the north dining room tables. One for his mom, Ida Mae, who took the bus all the way from Bakersfield.

One hundred crisp carnations were passed out, red for the living and white for the love that never dies, grown with tender-loving-care by the men in vocational landscaping. The recreation department had chairs in all the necessary places and a hot-coffee dispenser was set up between the fountain and the chapel steps,



VISITING ON LAWN AREA was enjoyed only by a few because of the change in policy.

### AA Election Results

Alcoholics Anonymous announced the May 4 election results of Johnny Jackson, chairman; Anthony Lopez, vice-chairman; and Julio Guzman, sergeant at arms.

Those interested in the Alcoholics Anonymous programs held Monday evenings between 6:20 to 9:20 p.m. in the visiting room, should call Jackson at ext. 566.

### SQ To Sponsor Cinco de Mayo Celebration

Cinco de Mayo will be celebrated in the north dining hall May 16, between 9 a.m. and 3 p.m. The mainline event is open to all inmates of the mainline population.

The celebration will include performances by several Mexican bands and other entertainers, followed by a dinner for the outside guests and SQ's Mexican-American population only.

### Penpals for Cons

Any Christian or non-Christian inmate needing someone to correspond with may write to: Religious Bench, c/o Prison Weekly, Oakland, CA 94610

This is a new Christian ministry that is reaching out to people on the outside and trying to get more people involved in the welfare of the prisoner and his family.

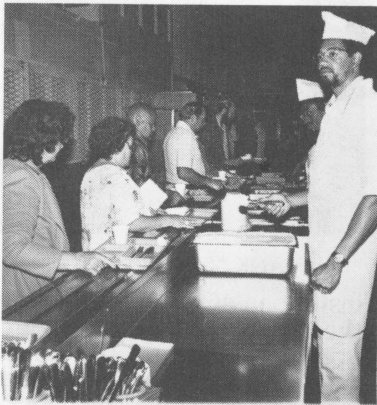
**COUNT**  
**2,927**

### Ranch Escape May 3

A 33-year-old prisoner due to be released next month "jumped the gun" and escaped from the ranch May 3.

Charles Sorg, serving a two-year term for a Contra Costa County grand theft charge, was discovered missing at the 10:30 p.m. count, said prison spokesman Mike Madding.

Madding said that Sorg was scheduled for parole June 27 and that there were no clues as to how or why Sorg escaped.



CONS AND MOMS enjoy the rare chance to share a meal together. the look was casual but well-planned.

Carmen Carpena came with her husband from L.A. She waited, a little nervous, for her son. Robert finally showed up tidying his shirt, looking sharp.

Shortly after 9 a.m. the group, led by the young, went slowly around Four Post, headed for the north dining room, past the Max Shack.

"Escort! escort! Clear the



LILIA AND MIKE SEQUEIRA

dining room wall!"

With expletives unsaid the guys scattered here and there,

Continued on page 4

### CORRECTION

In the May 8 issue, we made one big error and about 146 little ones. The little ones were included merely as evidence of our imperfection.

The big error was traced down to our bungling paste-up man, whose mind was probably out on the streets somewhere. This error concerned the transposing of photos of the second- and third-place winners in the Apr. 26 handball tournament.

We at the News sincerely apologize for this gross incompetence. We especially apologize to Mr. Larry Ayala and to Mr. Juan Ruiz — twice now we have made the same error on their photos.

Effective May 18, the following regulations and procedures concerning family visiting will be in effect.

### SCHEDULED FAMILY VISITING REGULATIONS

#### GENERAL:

The procedure for scheduling family visits is designed to ensure an equitable access to available family visiting dates. The following will be implemented immediately.

#### METHODS:

(a) An inmate will be allowed to have two family visits scheduled at any one time. This will give all inmates equal access to the available family visiting units, thus preventing some inmates from having several visits scheduled while new arrivals can't schedule a family visit for many months due to the schedule being full.

(b) If an inmate has two scheduled family visits he may not submit another family visiting request form until he has received one of the scheduled family visits. Any additional forms received will be returned.

(c) Back-to-back visits (four-day visits) will be scheduled upon request if family visiting dates are available, and the visitors are traveling from out-of-state. The visitor must be able to provide proof of out-of-state residence. If the visitor from out-of-state is unable to participate in the scheduled back-to-back family visit, for any reason, the entire scheduled visit will be canceled.

(d) There will be no change in existing scheduled family visits.

### CANCELLATION VISITING REGULATIONS

#### GENERAL:

(a) The cancellation visiting program is designed to insure that family visiting facilities are being used to the maximum. Every effort will be made to fill vacancies created by the cancellation of a visit or by "No Shows" for scheduled family visits. No Shows are defined as visitors who do not contact the family visiting coordinator by 2:30 p.m. the day of their scheduled visit or fail to show for their scheduled visit by 3 p.m. on that day.

(b) Inmates will be eligible for as many cancellation visits as scheduling allows in a fair and equitable manner not to exceed one per quarter.

(c) All regulations pertaining to scheduled family visits will pertain to cancellation visits.

#### METHODS:

(a) The family visiting coordinator will establish a cancellation list.

(b) Inmates' names will be added to the cancellation list by date and time completed family visiting request forms marked "Cancellation" are received in the family visiting coordinator's office.

(c) An inmate's name will remain on the cancellation list until he receives a cancellation visit. At that time his name will be removed from the list. The inmate must submit another completely filled out approved request form in order to have his name put on the cancellation list again.

(d) Inmates will be allowed to have only one cancellation form on file at any one time.

(e) Every effort will be made to fill cancellations from the cancellation list, beginning with number one on the list and working on through the list in order. The cancellation list will be used in this manner in an attempt to fill the cancellation until 4:30 p.m. the day of the scheduled visit which was cancelled.

(f) The family visiting coordinator will document by recording the date on the cancellation list of all attempts made to reach a family from the cancellation list.

(g) It will be the responsibility of the inmate to notify the family visiting coordinator in writing of any change in phone number (both work and home) of their families.

Continued on page 4

### New Open Line Schedule

Effective May 25, the family visiting coordinator will hold open line at 9:30 a.m. every other Monday at the MAC office.

Turn in ID cards to the 4-Post officer and Officer Ballatore will answer questions regarding family visiting. Questions will no longer be answered over the phone.

### WEEKEND MOVIE

#### FLASH GORDON

This is a gaudy, tongue-in-cheek take off on the original Buster Crabbe space serials. The stars are Sam J. Jones as Flash Gordon, the New York Jets quarterback; Melony Anderson as Dale Arden, Flash's love interest; Topal as Dr. Hans Zarkoff, the mad scientist; Max von Sydow as "Ming the Merciless," vilest of villains; and Ornella Muti as the delicious Princess Aura. Rated PG.



# Profile of Frank Smith, Convict Representative

By Jimmy Price

Some may think him to be overly forceful and lacking in diplomacy, but Frank Smith, better known as "Smitty," feels it is a necessary part of his job.

"It's a matter of getting down to business," said Smitty. "As a representative of the convict population, I feel it is my job to not only point out the problems, but also to get some answers on what's going to be done about them."

Initially provoked by the Men's Advisory Council (MAC) presenting the warden a jacket earlier this year, Smitty decided that this representative body should re-evaluate its priorities — and he is willing to work from the inside to influence the changes he believes in.

In February, Smitty waged a campaign and was elected as the west block representative to the MAC, upsetting Gerrard Trent, who had occupied the position for several years.

"Smitty is for the convict," read the campaign poster. And then, in a proclamation that suits him in character, the poster added that "Smitty will argue all the way to the hole."

Hopefully, it won't come to that extreme, but the hole would not exactly be a new experience for this 46-year-old "A" number who has been fighting the system for over 20 years — sometimes physically,

oftentimes winding up, slammed down with only his anger and his pride to keep him company.

Having done some time for the State of Kentucky and for the feds in Florida, Smitty came to San Quentin in 1957. "I think Bugler was only 60 cents a can back then," he mused. "Now it's four times that price."

After five years he was transferred to Folsom Prison because of his "assaultive behavior." In 1965 Smitty was paroled — only to return on a violation with a new beef before the year was out. Three years later he was again released and returned on another violation.

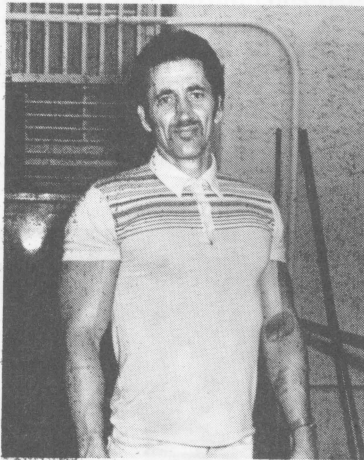
The idea of going on a yo-yo string became frustrating to Smitty, so he wrote his own parole plan for his next sojourn out into society and escaped from the Folsom ranch in 1972. As shortlived as escapes usually are, Smitty was back in five months. After another brief parole, he returned to San Quentin in 1977 and has been here since.

"Although I've got more self-control now than when I was younger," Smitty said thoughtfully, "I still get pissed when simple human rights are ignored."

In an effort to "go about things in the right way," Smitty hopes to bring a

stronger voice to the MAC. "If we are going to be effective, we have to be assertive and show more heart. If we don't stand up and argue for what's right, nobody's going to do it for us," he said.

Smitty believes that in an



FRANK "SMITTY" SMITH

institution of this size, it is all the more important that everyone recognize the same rules. "And that goes for the staff as well as the convicts," he stressed. Specifically, he points out the matter of favoritism and the resentment it can cause. "I remember some years ago a guard was serving the dessert at one meal," Smitty related. "As I watched, he gave each of the three men in front of me a double issue. When I got there he tried to tell me that I was enti-

tled to only one."

Smitty admits to his lack of diplomacy in that situation. "I just took another issue," he said with a mischievous laugh. "Luckily a nearby sergeant saw what happened and had the heart to tell the officer that he was in the wrong... but that I wasn't exactly in the right either. I got a pass on that one, but we all know who usually comes out on the losing end."

Smitty is a stickler for equal human rights and equal treatment of prisoners. "I like living in the west block," he admitted "but I'm really no better than any other convict in this prison. Not everyone sees it my way, however. A few guys on citizen's row seem to think they've earned a higher status. I'd like to know what they've done to earn it. There are other convicts here who have more time in prison and who are just as disciplinary free. Just what is the criteria for housing on citizen's row?"

One of Smitty's major concerns is in the area of representation for prisoners in the lockup units. "Those guys have absolutely no representation," he said point blank. "Neither the MAC nor the SQ News are allowed into any lockup units — and who needs it more than those guys? In actuality, the MAC represents less than half of the population here."

Smitty told the News he

## Law Library Seminar

On May 19 a legal seminar will be held at the law library. Mr. Carl B. Shapiro, attorney-at-law, and Mr. Myer W. Halpern, Marin County law librarian, will be in attendance. Mr. Shapiro is a 30-year veteran of criminal law.

It is anticipated that this session will deal with the procedures on direct appeal and collateral attack as well as habeas corpus procedures on seeking post-conviction relief.

Those men wishing to attend should sign up at the law library with Mr. McHenry, senior librarian. Mr. McHenry requests that the men signing up attend the seminar in good faith.

The meeting will be on Tuesday evening so if you sign up please notify your visitors that you will be busy on this date. The amount of attendance is limited and will be scheduled on a first come, first served basis.

## Mother of Crime

*Purposelessness is the fruitful mother of crime.*

wants to help rebuild the image and the effectiveness of the Men's Advisory Council.

"The MAC belongs to the population — not to just a few. It's going to take some changes within the MAC and it's going to require support from the cons. But we can have a strong, organized voice if we are willing to work for it. We all need to get back to being convicts and start caring about each other," Smitty concluded.

# San Quentin's Library; A Haven of Knowledge

By Casey Burke

A day spent in the San Quentin library can be an informative and rewarding experience. Let's take an in depth look see at what the largely unused institution has to offer to all who enter its lavishly carved doors.

The inmate library at San Quentin has been established to serve you and your recreational, educational, and vocational needs. It is your library. The only requirement to utilize this facility is to have a valid California Correctional Identification card in your possession. The library's collection of materials is made up of the following: reference books (encyclopedias, almanacs, etc.), general reading books (nonfiction and fiction), magazines, and newspapers.

The library will be open Monday through Sunday (seven days per week) from 8 a.m. to 2:30 p.m.

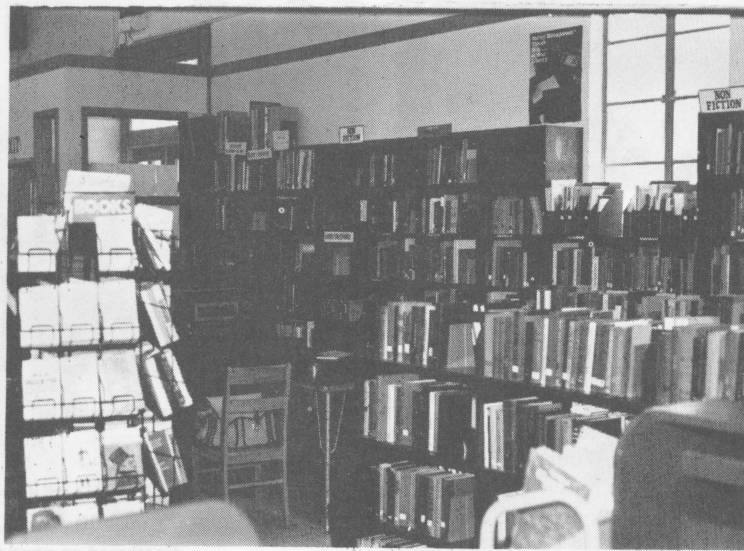
For the individuals who enjoy keeping up with the current events and being informed of what's happening in today's

world the library offers an array of magazines and newspapers. The newspapers, representative of 15 California cities (including dailies printed in Chinese, Japanese, and Spanish), allow the inmate reader a chance to stay abreast of his hometown's happenings which could aid him in reentry into that particular community.

Also available for in-the-library reading are the current issues of 82 different magazines, ranging from "Business World" and "Sports Illustrated" to "Playboy" and "Low Rider" magazine. The library maintains a limited collection of back issues of newspapers (seven days) and some magazines (3 to 6 months). All of them, both current and back issues, may be used in the library only. It is expected that magazines be returned to the clerk in the same condition as it was checked out. You will be held responsible, under CDC 3011, for any damage that should occur to the magazines, books or newspapers while checked out to you. The newspapers and magazines are to be read in the reading area only.

The reading area encompasses the space where selections can be made from the open shelves, and where tables and chairs are provided for quiet reading and study. You may select materials from the shelves to read in the library. Or you may check out your selections for the circulation period. Books may be checked out for two weeks at a time and returned according to due dates specified. While you are in the library, you must follow rules and regulations governing inmate behavior and borrowing procedures.

There are reader's guides available to periodical literature which indexes the contents of the most popular magazines



SQ LIBRARY'S reader area.

articles. Ask to use this valuable reference tool in order to find which magazines have articles on the subjects you are looking for. The librarian will show you how to use the Reader's Guide.

Each month the library publishes a book list to inform you of the titles of books added to the San Quentin's inmate library collection. The current list is posted in the entrance to the library, and near the card catalog area.

The card catalog is located in the reader area to provide a guide to the library collection. The catalog is an alphabetical arrangement of cards listing the authors, titles and subjects of the books in the library. It also tells you where the books may be found on the shelves. The catalog will answer the following questions: Has the library a book by a particular

author? Is there a book in the library with a certain title? What books does the library have on a given subject? The

library has on its staff a reader's advisory clerk who will be able to assist you in locating a book that is referred to in the card catalog. Should the clerk be unavailable, the librarian will assist you in locating the book that you desire.

Reference books are a permanent part of the library's collection. These books are always available upon request for library use only.

One of the objectives of the library is to make library materials available to the inmate population when they are needed and at the time when interest is at a high point. Limited and controlled circulation of reference books help to make them available to the greatest number of inmates. The reference books are located behind the circulation desk and in the library's office.

In addition to the materials

on hand at the San Quentin Library, we are privileged to be able to borrow from the Marin County library system and the North Bay Cooperative Library System, as well as the state library. This privilege may be revoked at any time. Continuation of this privilege depends on the manner in which you take care of your responsibility to their library materials. It is essential that you return Marin County library's books, and books borrowed from other institutions on or before the due date and in the same condition that you received them. This service has been revoked due to several books not being returned to the library. Mrs. Neuschaefer implores that the return of these missing books be immediate so that this privilege may be reinstated. Actions of this nature only serve to hamper any further relationships the SQ library might secure in the future. This action effects all of the inmates because of the discontinuation of the interlibrary loan, says Neuschaefer.

Your personal advantage is served best by taking care of the books you borrow. Neuschaefer goes on to point out mutilation or withholding library materials inflicts the loss on your fellow inmates and ultimately on yourself. Destruction of library resources is an act of aggression that works against the inmate population only. No one else loses. The state allocates limited funds for the library expenses, and when the dollars are used up, no money is available to replace State property. In addition, magazines, newspapers, and fiction books are purchased out of the funds allo-

Continued on page 4

## San Quentin News

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G. W. Sumner ..... Warden  
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# Prison Labor and Contemporary Corrections

By Jack Schaller

Over the past few years a significant resurgence of interest in prison work programs has taken place in the United States. This interest has surfaced virtually everywhere — from large urban states with thousands of prisoners housed in century-old facilities to small rural states incarcerating fewer than 300 prisoners in relatively modern institutions. Interest in prison work programs has even surfaced in county facilities.

Three factors are influencing this trend. First, and undoubtedly most influential, is the dramatic increase in prison population in this country since the mid-seventies. In most cases populations have far outstripped the ability of institutions to provide program services for all those incarcerated, which has led to an increase in prisoner idleness in many institutions, a dangerous circumstance and cause for much concern among correctional administrators.

The second factor influencing this return to work is the budget crisis now facing many corrections departments, and state governments in general. With inflation eating away at state revenues, program services for prisoners become an increasingly expendable commodity. Such services must be evaluated much more stringently on a cost per inmate basis rather than on the quality of the service provided.

Finally, there is the demise of the rehabilitative ethic that so influenced American correctional thinking over the past 25 years. With the value of various rehabilitation programs and services now open to question, correctional thinkers are grappling with new 'models' around which to organize correctional systems.

I believe that the notion of work is an organizing concept that deserves consideration and am not alone in this belief. The Federal government, the United States Congress, various state legislatures and governors and many corrections departments across the country have recently voiced support for a return to work as a fundamental focus of corrections.

LEAA's Free Venture Prison Industry Program is one manifestation of the new interest in prison industry. Essentially free venture attempts to apply sound business management principles, including a healthy concern for profits, to a government-run industry. At the core of the program is the belief that prison industries are in fact capable of becoming financially sound and productive operations staffed by trained, competent and motivated workers.

South Carolina and Illinois, two of the states now participating in the program, have benefited tangibly from the free venture program. South Carolina, as a result of its involvement with the program, has transformed an inefficient, money-losing furniture factory at a maximum custody facility into a modern industrial operation which realized a profitable quarter last year for the first time since the factory opened. Illinois, which has been plagued by severe prison industries problems for years, has rebounded significantly, from severe problems and is implementing financial management and production systems throughout the state as a

basis of a strong industry program at all Illinois institutions.

A recent addition to the free venture effort is a program entitled Business in Prisons, created by Congress through Public Law 96-157, which calls for the involvement of private industry in prison industry operations and makes two major legal changes in traditional prison industry operations. It directs LEAA to choose a group of states to operate on a pilot basis under this new legislation. LEAA will select states during the next few months after the completion of a national application process. The selected states will be allowed to do two things presently forbidden by federal law: (1) they will be able to place their prison-made goods in the stream of interstate commerce and sell products across state lines; and (2) they will be able to sell their prison-made goods to the federal government.

During the selection process LEAA will review applications from states interested in participating that can demonstrate the following:

- That private industry is not presently prohibited from involvement with the state's prison industry program;

- That payment of wages equal to the prevailing wage for free world workers employed in that industry is not prohibited by legislation or regulation;

- That free world labor will in no way be displaced as a consequence of private sector employment of prison labor.

This legislation represents the first significant alteration to federal marketing restrictions on prison-made products in over 30 years. In its final version it received bipartisan support and met with no opposition of the national level from organized labor.

I believe that this new thrust at prison industry revitalization will have an even more striking impact on the operation of prison industries than the free venture program has had. Private factories inside the walls of a prison will force a drastic reevaluation of the correctional setting by both government and industry and will significantly enhance the prisoner's employment potential by virtue of his acquired work experience in private industry.

I am well aware that the concept of joining private expertise with prison industries is controversial and fraught with potential problems. The free venture program has demonstrated that the imposition of real world standards on prison industries forces changes on many different levels within the prison community. Security staff are often hesitant to accept the necessary changes in their relationships to prisoner-workers, and overcoming their hesitancy is necessary to the success of the program. Furthermore, not all prisoner-workers favor the entry of private industry because of past exploitation of prison labor forces by private industry in many parts of the country. I believe, however, that the legislative safeguards built into the present program will prevent the kinds of abuses that were so prevalent in the earlier part of the century when private industry joined with the prisons to exploit prison labor.

The free venture program has amply documented its

ability to create institutional change. A recently completed evaluation of the Free Venture Prison Industry Program by the University City Science Center in Philadelphia found that the program has in fact had a positive impact upon participating prisoners. An analysis of disciplinary data demonstrated that there was an improvement in the behavior of workers employed in free venture programs. Interviews with both inmates and civilians confirmed the fact that free venture workers value their jobs and benefit from their work experience. Further, the evaluation concluded that the Free Venture Prison Industry Program has had a positive impact upon the institutional environment. Beyond the improvement in the behavior of free venture prisoner-workers, superintendents, correctional officers and other civilian staff have all noted that meaningful job assignments within industries have made a substantial contribution to the tranquility of the institution as a whole. The evaluators found that most correctional officers actively supported the program, seeing it in a much more favorable light than many rehabilitation programs previously operated within the prisons.

An effective, work-oriented prison industry program accomplishes a number of things. It reduces prisoner idleness

and does so at virtually no cost to the state; all costs incurred by the program are absorbed in the cost of manufacture. It produces quality products for the state at reduced cost. It provides financial compensation to prisoners, thus allowing for family support payments, victim restitution, payment of taxes, savings for release and some improvement of the prisoner's living standards inside the institution. Even more importantly, it provides the prisoner with a positive work experience in a real world working environment, with considerable emphasis on worker productivity and overall shop profitability. Such an atmosphere facilitates the formation of good work habits and may also provide the opportunity to acquire a marketable skill.

I would be remiss in not pointing out that a strong emphasis on work within prison does pose some problems. The typical prison environment is in many respects not conducive to profitable manufacturing and service operations. Often the facility lacks adequate space for manufacturing, and what space is available often poses severe problems for equipment and materials handling. Institutional schedules inhibit the fullest and most efficient use of manpower and capital resources. Staff attitudes toward prisoners, summarized as "you can't expect much from an inmate," set a

level of expectations for prisoner productivity to which prisoners are quick to conform. State government procedures and policies concerning purchasing, inventories and other crucial elements of the industrial operation typically reflect the needs of government at the expense of meeting the needs of a for-profit prison-based business enterprise. All of these factors inhibit the fullest realization of an effective industrial work program.

None of these problems, however, defy resolution. A dynamic work program can be created and operated inside an institution. I have seen it happen. But to do so requires system-wide changes, both in thinking and in day-to-day practice. Such changes must have the full support of the state legislature, the governor and the top state corrections officials. However, support at this level alone is not sufficient.

Jack Schaller is president of the American Institute of Criminal Justice (AICJ), a nonprofit corporation founded to provide consultation, technical assistance, training and research services in the criminal justice field. The corporation was organized in 1979 to carry on the corrections work formerly performed by the American Foundation's Institute of Corrections. Prior to his involvement with AICJ, he was employed by the American Foundation as director of the LEAA-funded Prison Industries Technical Assistance Project.

## Letters

Dear Editor:

Factory 40, or to those not hep to the CDC billing jargon, the furniture factory, is experiencing a lot of attention these days. Why? Good question. The fatal incident which occurred last Mar. 30 could be why. Mr. Sickles, a freeman, was dealt a fatal blow to the head and later, after hours of surgery, died in Marin General Hospital. As Warden Sumner pointed out during his Apr. 15 meeting with Factory 40 workers, this was the first death of 1981 and the first fatal attack on staff in a number of years.

How did it come to this anyway? Well, it was determined that pruno played a major role in the melee. That's fine if you want a quick answer. Myself I can think of a few more factors which need to be recognized.

Let's look at Factory 40 in general. Is it a sweat shop? In most senses, yes it is. At 12 to 30 cents an hour, with no applicable skills being taught, not to mention outdated, unsafe machinery, I think it qualifies. Before Mar. 30, it was a practiced procedure to force men to work in Factory 40. This threat was backed with reclassification to Close B II and a CDC 115. So as a result of forced work in poor working conditions, the general mood turned from bad to worse. Mr. Honzell, Mr. Martignoli, and Mr. English were warned of this rise in hostility, but no heed was paid to the warning. Add to this the mass cell moves Factory 40 workers have experienced in the last five months. East block to A Section and back to east block. From the fifth tier yardside to the fifth tier bayside. Irritating to say the least.

Now, to top it all off, the current management of Factory 40 has begun to alienate itself from its supervisors. Hints of unrest can be detected among the ranks. Promises have been made but unkept. Very poor employee relations to say the least, but not at all uncommon for a state-run organization and San Quentin in general.

Mr. English stated in an Apr. 24 article in the SQ News that he doesn't know how the \$1 per hour inmate wage increase rumor got started. That's funny because when he first assumed his position as manager of Factory 40 he had a meeting with the convict leadman from each department and asked them to vote on this issue. More benefits or more money? After consulting with their coworkers, the leadmen went back and voted unanimously for more money. If Mr. English hadn't brought it up we wouldn't be waiting for an answer still!

After selling that wolf ticket, memorandums went out that all smok-

ing would be curtailed during work hours except for coffee breaks and lunch time. Also it was requested that each supervisor tighten down on his workers in an effort to boost production.

As of last Mar. 30, there were over 200 men assigned to the factory. At least one-third of those men were forced, under threat, to remain working at their job assignment. The other two-thirds were beginning to wonder why Mr. English ever mention a pay increase that didn't exist.

These same workers of Factory 40 are also in confusion as to why English stated that there would be a phone put in the industries area when it's common knowledge that these phone lines have been stuck at east gate pending administrative action on if the lines get any further. Man that could be years from now.

So what's the bottom line? I (we) think it's quite clear. Workers abuse and mismanagement fueled the tempers which finally broke on Monday, Mar. 30. After talking to three Soledad employees, it would be safe to say that Mr. English lacks what it takes to manage Factory 40. Selling wolf tickets isn't the way to win and influence workers or supervisors. Bedlam was the word they used to describe the factory ran in Soledad. And now we have bedlam here in San Quentin's Factory 40.

Perry Jarvis C-09189  
Thomas Clark C-12457

Dear Editor:

I am writing in regards to how the women here at CIW can get your newspaper. I have been reading it for about two years on and off. I give you guys a lot of credit 'cause your paper is right on! It keeps me updated to what's happening inside and outside of the joint.

There are a lot of things that go on in this joint that I know aren't right. So, maybe by keeping in touch you could help us out a little.

I really enjoy your paper, keep up the good work. Thank you.

—Martha Mora 13179

Dear Editor:

I'd like to pose a question to the prison staff if I may. Are the shotguns that you so readily use to break up fights really the best solution? Don't you people realize that when all that birdshot starts flying around that someone could get hit in their eyes and be blinded for life? Not to mention the other bodily damage it inflicts.

Also, the spreading pattern, combined with the ricocheting pellets,

often wound persons other than those involved in the altercation.

Here is my suggestion: Use high pressure water hoses instead of guns. They have proven themselves effective in dealing with crowd control situations and, most important of all, their use would minimize injuries.

Another factor that you shouldn't ignore is that the use of water hoses, rather than guns, would certainly be looked upon as a more humane and civilized approach in dealing with crowd control — both by the inmate population and the people outside — thereby reducing negative feelings and attitudes toward the Department of Corrections.

My regards to all the guys here walking around full of lead — especially my partner Ernie.

—Mark Compton C-8639 SHU

Dear Editor:

The passage of AB 1403 ("Go to Prison, Go to Work") prompts me to write the News to further validate a point raised by Carl Harp's letter.

Are California convicts/inmates in danger of becoming wage slaves? As CDC becomes self-reliant and profitable, this could be the case. In light of the passage of that bill and the mandate of tougher penalties by the upper crust (a bunch of crumbs held together by their dough) caution is indeed in order.

Having considerable experience with a self-reliant and profitable prison system by discharging a 15-year sentence with the Texas Department of Corrections, there is much to be said on the positive side for such a system.

The Texas DOC is the most self-reliant system in the world — a place where a convict was not compensated in monetary terms, but rather in good time (50 days credit for every 30 served).

County jail populations, universities, orphanages, youth correctional centers, schools for the blind, and many others, enjoyed food produced by the sweat of the convict brow. They also wore shoes, bathed with soap, wore garments, and more, all produced by convict hands. Still each year, millions of dollars were returned to the state coffers.

Because of the output that was necessary to sustain the largest penal population in this country, as well as other state supported institutions, it was a grave sin to refuse to work. The age-old concept, "no work, no eat," prevails to this day.

The point is, my fellow convicts, any pay in monetary terms is collected at the canteen window and administered by the state — whereas good time is the

Continued on page 4



## Visiting Regulations . . .

Continued from page 1

(h) If the family visiting coordinator is unable to fill the cancellation by 4:30 p.m. the date of the scheduled visit, the coordinator will disregard the numerical order of the cancellation list and contact any available qualified visitor who is on the list. This inmate and visitor will be credited with a cancellation visit and removed from the cancellation list. He must submit another approved cancellation visit request form to be placed back on the cancellation list. In no instance will any inmate receive more than one cancellation visit per quarter. The family visiting coordinator will attempt to fill cancellations until 5 p.m. If the coordinator is unable to fill the cancellation by 5 p.m., the unit will remain vacant.

(i) **NEWLY WEDS:** Newly weds will be offered first priority on any and all cancellations. The inmate must submit an approved family visiting request form marked "Cancellation — Newly wed." The family visiting coordinator will attempt to contact all newly weds on the cancellation list before attempting to contact anyone else on the cancellation list. After receiving his newly wed cancellation, the inmate will be subject to all regular family visiting procedures.

(j) The Visiting Lieutenant will monitor the use of the cancellation list to insure that the regulations are adhered to.

### AMENDMENT No. 1: VISITING STAND BY AND CANCELLATION LIST

#### METHODS:

Due to the inordinate and excessive amount of time being spent filling cancellations, the following new regulations will be in effect.

(1) After three unsuccessful attempts are made by the family visiting coordinator to contact the family or relatives listed on the family visiting cancellation form submitted by the inmate, the form will be returned to the inmate. He will then be removed from the cancellation list. He may resubmit another approved form to be added back on the cancellation list.

(2) If any person *at all* answers the telephone, it will be considered as a **CONTACT** call. If the person listed on the form is unable (for any reason) to respond or utilize the offered cancellation visit, the inmate will be removed from the cancellation list. He will have to resubmit an approved family visiting cancellation form to be added back on the list.

(3) If the telephone number provided by the inmate is not valid or has been disconnected, he will be removed from the cancellation list. He will have to submit an approved family visiting cancellation form to be added back on the list.

(4) If the person contacted accepts the visit and the approved visitor does not show up, that will be considered as a **No Show**. They will be removed from the cancellation list and be denied cancellation family visits for a period of six months.

### PROCEDURES FOR FILLING TRAILERS AFTER 5:00 P.M. FOR CANCELLATIONS ONLY

The purpose of this procedure is to eliminate vacancies in the family visiting quarters caused by cancellations late in the day. It is necessary to provide a means of placing the inmate in the trailer after the 4:15 p.m. count has cleared, as well as placing the visitors in the trailer if and when they cannot arrive by 5 p.m. This will extend the use of the cancellation list as people from greater distances can be more readily used to fill cancellations.

The family visiting coordinator will attempt to fill all vacancies in the trailers due to cancellations. When it is necessary to fill vacancies after 5 p.m., the family visiting coordinator will insure that all paper work is completed on these cancellation visits.

The visitor must be able to arrive at the institution and report to the east gate officer by 7 p.m. the evening of the cancellation visit.

If the visitor fails to arrive and report by 7 p.m., the visit will be cancelled. The east gate third-watch officer will cancel the visit. He will notify the third-watch yard officer as well as the control sergeant that the visit has been cancelled.

#### Visiting Hours

General population (contact visits:)

Wed. - Mon. . . . . 8:00 a.m. to 2:30 p.m.  
Sat., Sun., Hol. . . . . 7:30 a.m. to 2:00 p.m.  
Tues. (afternoon) . . . . 1:00 p.m. to 3:00 p.m.  
Tues. (evening) . . . . . 4:30 p.m. to 7:45 p.m.

Restricted visits (phone visits, hospital, AC, north block, north seg, B, C, and D sections:)

Weekdays (except Tues.) . . . 8:00 to 1:30 p.m.  
Sat., Sun., Hol. . . . . 7:30 a.m. to 1:30 p.m.

Hospital visits are restricted to immediate family only and are limited to one-half hour in duration.

Hours given are those in which visitors will be processed in; actual visiting terminates from 15 to 45 minutes later.

## Library — Haven of Knowledge . . .

Continued from page 1

cated from the Inmate Welfare Fund.

And with this in mind, here's a message to all the cons from Larry B. (SQ library clerk): "Be sure to return all the magazines you check out back to the clerk when your done, as these magazines are for all us cons. If you rip it off, your just taking it away from cons like yourself."

Rules and procedures of the library are instituted for the good of all inmates. To insure that rules are observed so that the services offered by the SQ library may be enjoyed by the total inmate population. The cooperation of the inmates and correctional staff is greatly appreciated by Mrs. Neuschaefer and the rest of the library staff.

If you have any disagreements or have suggestions regarding any procedure now in effect in the running of the library, please feel free to get in touch with Mrs. Neuschaefer. This may be done either in person or by institutional mail.

The library also provides services to eight lockdown units. These services are in the form of providing old issues of magazines and newspapers and supplying check-out services of books from the library. These books are subject to restrictions of the rules of the respective lockdown unit.

The following is the procedure in which an inmate of a lockdown unit may use in order to check out a book from the library, or obtain specific information. Use an inmate request form or just write your request on a sheet of paper and mail it to the library. If the book cannot be sent to you due to administrative policy, the librarian will inform you of this

and request from you specifically what information you desired. Mrs. Neuschaefer asks that inmate requests be realistic and she will do the best she can in getting your desired information.

Donated books are sent over to the lockdown units each month. These books come from freemen, bookstores, and other community organizations. The library staff would like to thank all these people for their donations. Any persons or groups that wish to donate books and magazines may do so by either dropping them off here at San Quentin or by sending them to the SQ library.

Suggestion boxes are being made by members of the MAC to be placed in all of the housing units so that inmates may easier contact the library with their suggestions. Mrs. Neuschaefer says that the MAC has cooperated thoroughly with the library and she wishes to express her thanks to them for their help.

It has been reported by Mrs. Neuschaefer that some library books have been found in the trash cans in some of the housing units. She asks that all inmates of SQ please refrain from throwing library books in the trash. Simply leave them at the end of the tier, if for some reason you can't bring them into the library. The books are for all of the inmates of San Quentin, so treat each book like it was your own.

A trip to the library can be a most rewarding experience that may open up your personal awareness of who you are and what you can be if you only willing to direct a little energy in that direction. So when you find yourself with some time on your hands and nothing to do, trip on down to your library and get high on knowledge.

## Annual Family Day . . .

Continued from page 1

a whole bunch under the shed, vicariously enjoying their friend's visit. "Hi Rick." "Hi Walker." "Hi Courtney." "Hi Johnny." "Izzat your mom?"



IT WAS THEIR DAY — and they knew it.

"Enjoy the breakfast, same jazz we had."

It was typically peaceful; nothing marred the day.

Breakfast was good, there were seconds on the orange juice and lots of conversation about the folks back home, punctuated by laughter, camera clicks and flashes.

The volunteer inmate work crew did an excellent job setting up the dining room, waiting on tables, and turning the San Quentin mother-son breakfast into an early morning banquet. It was nice and warm inside. Ann Young's comments were typical — she truly enjoyed "sitting down to a wonderful breakfast with my son."

Breafast ended at 10 a.m., at which time everyone was given a choice of attending church sevice or moving to the regu-

lar visiting room (Close B, and A custody) or to the front lawn (Min. and Med. B). Some precious visiting time was lost during this shuffle.

There were many suggestions from inmates to make future events even better; last year's breakfast included more people.

Geno Giron asked, "How



A DAY TO REMEMBER the family unit.

about our wives who are mothers, and our children? Wouldn't it be nice for the whole family to share a meal together?"

Visiting ended all too soon, by 2:45. "Bye, Mom. I'll write." "Adios, adios." "Bye, son. Take care."

### DRAFTSMAN WANTED

Correctinal Industries needs a draftsman. Must have existing drafting skills. 30 cents per hour pay number. All interested parties contact Mr. Ramsey at ext. 503.

## Letters

Continued from page 3

key to the Golden Gate.

I will return to my native Texas in due time and I will hope that the convicts here will strike a bargain: work for better good time and a few bucks too.

—H. (Chato) Robbins

Dear Editor:

I am an ex-resident of San Quentin and receive the SQ News every week. I am the national chairman of the Committee to Safeguard Prisoners' Rights, which has over 30 chapters nationwide and promulgates ways to improve jailhouse lawyers' services. (See my article "Organizing Jailhouse Lawyers" *Prison Law Monitor*, Mar. 1981.)

I just read the Apr. 24 issue of the News and, amidst the usual array of events, a particular article caught my eye: "Law Library Seminar."

I wish to extend my congratulations to Mr. McHenry, senior librarian, and to the attorneys conducting the seminar. This type of program should be encouraged and supported.

The legal services organizations are under attack, which will foreclose assistance to the poor. Convicts and their families will be greatly affected and the people must learn to understand the law if the vindication of our rights is to be effectuated.

Enclosed please a copy of our newsletter, the *Freedom Fighter's Forum*. Keep up the good work and give my respects to all.

In Unity and Solidarity,  
—Wm. "Crazy Horse" Coppola  
Huntsville, Tex.

Dear Editor:

Sexual repression is what you have when you are allowed contact visits in the main visiting room with hundreds of other people and other prisoners — plus dozens of staff members — but you can't have family visits with one individual in a compound that is, for all intents and purposes, escape proof and in a prison where a no-hostage policy exists. I have no record for hostage taking, and only one walk away from a prison farm in 1970.

Later,

— Carl Harp C-7100

P.S. I am serving 95-life — minus the 20 years I will receive off for good time. I have been down eight years and have had no family visits. I still haven't consummated my marriage. Last year I was scheduled for a family visit, but I was subsequently told all such visiting was denied. First they said I was a hostage-taker. When that flopped they said I was a long-term who might escape.

## Pirates Score Narrow Victory Over Phillies

The San Quentin Pirates, SQ's shining new 1981 baseball team, played their first game of the season May 9 — edging by with a 2 to 1 victory over the San Jose Phillies, according to Coach Russell.

The tight score was a testimony to the superb playing ability of both teams and the fact that the Phillies are a Triple A ballclub makes the Pirates' win no small accomplishment.

Phillies Coach Honesto complimented the San Quentin team, saying that the Pirates are "a fine ballclub that will be hard to beat." Honesto said he was very impressed with Pirates' pitcher Bone Walker and with the power swing of Terry Dorsey. He also commented on the overall speed of the pirates, especially Joe Ratti.

Walker gave up only four hits and pitched six strikeouts. The Pirates scoring came from a two-run homer by Dorsey.

In the second game of the doubleheader, Dorsey scored another two-run homer to add to the scoring of Jones and Pitts, with Will Humble pitching. This game, however was called in the fifth inning due to the lower yard closing time. The San Jose team was leading 10 to 8 when the game was called.

The next scheduled game for the Pirates will be May 17 against the Sacramento Smokies. The Sunday morning game will get started around 10:30.



# CDC Modifies Property Regs

Sacramento has altered its regulations concerning property restrictions. Effective Nov. 1, all SQ residents will be limited to the following personal items in his cell.

## Administrative Manual Chapter 4600 Inmate Resident Property

### Article 1 Amount of Property Section 4601. Limit.

(a) Inmates may possess personal property not to exceed six cubic feet and a maximum weight of 100 pounds. One television set, not to exceed 15 inches wide and 15 inches deep and not to exceed 30 pounds in weight is also authorized.

(b) Institutions will not permit the possession of personal property items that present a threat to institutional security or the safety of persons or which pose sanitation problems.

### Sec. 4602. Accountability.

(a) All non-expendable property, legally acquired by an inmate, while in an institution, is to be recorded on the personal property card. Non-expendable property is defined in Section 4606. The inmate is held accountable for all personal property so recorded.

(b) Any item or article not authorized by departmental and institutional regulations, or in excess of the maximum quantity permitted, or which is received or obtained from an unauthorized

source is contraband. Possession of contraband will result in disciplinary action, confiscation and disposition of the contraband.

Sec. 4603. Unissuable Property. Anything in the possession of an inmate which is not contraband as described in Section 4602 or Section 4619 but will, if retained in the possession of the inmate, present a serious threat to institutional security or to the physical safety of persons will be controlled by staff to the degree necessary to eliminate the threat.

Sec. 4604 Property Lists. In January of each year, each institution will provide the other institutions of the department and central office with at least two copies of their list of items not allowed from the approved departmental list. One or more copies of the institutional listing will be addressed to the attention of the Receiving and Release Supervisor. Copies for the central office will be addressed to the Assistant Deputy Director-Institutions, and the Coordinator, Policy Documentation Unit.

Sec. 4605. Transfer of Property Between Inmates.

(a) The transfer of property between inmates is not allowed.

Sec. 4606. Non-Expendable Property.

(a) Following is a list of inmate personal property items deemed non-expendable which must be recorded on property cards in ac-

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## SQ's Silent Majority May Get Court Relief

SAN FRANCISCO — Maximum security prisoners in San Quentin and other California prisons are subjected to "cruel and unusual punishment," an attorney argued last week in federal court.

Attorney Sanford Jay Rosen of San Francisco claimed that the inmates confined in maximum security units come out "worse off in psychological

well-being and health than when they went in."

Deputy Attorney General John Murphy, representing the prison system, argued that the federal court is not the proper agency to review standards for the inmates, lest it "tie the hands of the department of corrections."

District Judge Stanley Weigel took the case under

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## Visiting Procedures Change June 15

In order to help achieve the Department's goal of reducing inmate visitor processing time to less than 30 minutes, the procedures listed below will be put into effect at all institutions.

The Department will adopt a system of preapproved visitor applications. This will require that all inmates send a copy of the revised CDC-106 to their prospective visitor, who will complete the questionnaire and return the form via first class mail directly to the visiting staff. Staff would then conduct an investigation if deemed necessary in order to approve or deny the request. The applicant will be sent a copy of the Notice of Visitor Approval/Denial form indicating approval or denial. The inmate will also be sent a copy of this form. The applicant would not be permitted to visit until they receive the notice of approval/denial from the institution. The only exception to this procedure will be in cases of an emergency nature or where the visitor has traveled from another state.

The Reception Center will be excluded from this procedure because of the short time of inmates being located there. They will also continue to use the CDC-105.

To reduce the need for reapproving visitors each time an inmate is transferred, the CDC-106 will become a permanent part of the central file. Also, visitors approved at one institution will be approved to visit the same inmate at another institution when an inmate is transferred, except when information becomes available that would have excluded the visitor had it been known when the visitor was first approved.

WALTER E. CRAVEN  
Deputy Director of Corrections

Editor's Note: Subsequent information received suggests that this policy applies to first-time visitors only.

# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 19

TAMAL, CALIFORNIA 94964

Friday, May 22, 1981

## Cinco de Mayo Celebration

# La Mezcla Sponsors Annual Festivities

By Bill Torres

A conspiracy to change the nature of San Quentin was uncovered last week.

At approximately 10 a.m. on May 16, while standing by the max shack watching the guys play "escort," I noticed some cons milling around the north entrance to the north dining hall, dragging bulky crates inside. I followed them into the shadows, as quietly as I could. Nobody likes to be a rat, but a man's gotta tell it like it was,

what I saw and heard there blew me away.

There were some dudes who call themselves La Mezcla, that is Spanish for The Mixture, who had everybody

on congas, and Bob Varichio from Pennsylvania, on keyboards. Later I heard that Necka is only part of a whole band project playing a musical conspiracy, right inside this



BALLET AZTLAN demonstrated Mexican folkloric dancing at its best.

## Inmates Who Stayed Out Go Back In

(UPI) — Forty-five inmates at the Washington State Corrections Center who spent a night outdoors to protest overcrowded conditions went peacefully back inside last week, satisfied that their demands would be met.

Prison spokesman Dick Paulson said the inmates ended the strike "absolutely willingly" after officials arranged to get most of them cells and beds instead of making them sleep on the floor.

The prisoners decided not to return to their cells about 7:30 p.m. Wednesday night, refusing to leave the main exercise yard. But the administration said the 21-hour protest produced no violence or trouble.

Officials said the inmates were upset mostly because overcrowding had meant about 100 inmates were sleeping on mattresses on the floor of the two "reception" units.

## 'Dangerous' Suspects May Be Denied Bail

S.F. Chronicle

The state Senate endorsed a constitutional amendment that would allow judges to deny bail to suspects they considered dangerous to public safety.

The Senate voted 33 to 0 to send the proposal to the Assembly. If approved there, the measure would go before voters on the next statewide ballot.

The state constitution now provides that, when setting bail, judges consider the seriousness of the offense, the suspect's record and the probability he will show up at a trial or hearing. The state Supreme Court has ruled that public safety cannot be a consideration for setting bail.

The measure by Senator Robert Presley, D-Riverside, would reverse the court ruling and require judges to consider the chances of the suspect committing a crime while out on bail.

Several other states have adopted such provisions, sometimes called "preventive detention."

mixed up into their scam. There was a Ray Garcia, Jimmy Duran, Felipe Ramirez, and I also heard plenty of other names, but I don't wanna say nothing because these guys have some heavy duty connections. Like, they have this beautiful lady by the name of Gloria Vasquez, their coordinator and producer; a Jesse Perez is their talent connection; and a tough guy by the name of Joe Gallo who unfortunately was away pulling another job but I've heard he's done some jolts at Folsom and at Q. These guys really got their act together, even the staff was cooperating nicely and didn't even give us any hassles, or nothing.

The Mezcla had barricaded themselves around the stage and they must have had half the joint there, all kinds of cons, just listening, clapping their hands, and enjoying themselves, or else. The gunman above seemed nervous with all the laughter and commotion, but he kept pacing back and forth to the beat of our own drummer.

Phil Burdick was up on stage right in the middle of a musical rumble, banging the tom-toms. His gang sounded like the Blues Brothers with electrons and feelings, but they call themselves Necka, the name is made out of alphabet soup. They were playing what they like best, with gusto and evil ways. Richard Ybarra, their lead guitar, is from Phoenix, the band smoked three of his own numbers, "Christina," "Chico's Blues," and "Que Paso?" His crime partners are Leonard Santos on bass guitar, Phill on drums, Raul Quintera

joint. Necka got the people all shook up and split when some kids muscled in on them.

Ballet Aztlan is a new and young group out of Richmond which specializes in traditional Mexican dances. It is a friends-and-family affair made up by Luis and Marta Sanchez, with cousin Gerardo, Mike Magee, Kathy Contreras, Ricky Rubio, Yolanda Payan, y Que? They hoofed it through "El Caballito," "La Botella," and a Michoacan number. They were definitely bad, everybody liked them.

Then they had three musical story-tellers with mean-looking sombreros. El Trio Azteca. Jorge, Roberto, and

Continued on page 4

## WEEKEND MOVIE

### 'THE GONG SHOW MOVIE'

Chuck Barris pretends to be a sensitive soul being driven mad by the craziness he has unleashed through his TV show. Also stars Robin Altman. Rated R.

## HOLIDAY MOVIE

### 'California Dreaming'

A teenage boy from Chicago is thrust into the Southern California beach community. This film follows his often awkward adjustment to his surroundings. Stars Dennis Christopher, Glynnis O'Connor, and Tanya Roberts. This movie is rated R.

Jean Lester  
251 Clorinda Ave.  
San Rafael, CA. 94901

USPS 480-700

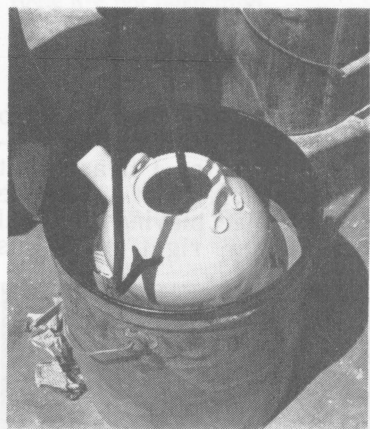


# Raku Firing Held on Lower Yard

By Casey Burke

San Quentin's second annual raku firing was staged on the lower yard on May 9. This rendition of the ancient Japanese ceramic firing was performed by the ceramics class.

No one knows exactly how and where the use of lead glazes and tongs first developed in the firing of raku. Lead glazes were used in Egypt and



RED HOT POT entering reduction bucket.

Persia as long ago as 500 B.C. In Japan, low-fired earthenware with lead glaze was made in the government kilns at Nara for use in the imperial court in the seventh century A.D. It is not known if tongs were used for removing this ceramic ware from the kiln. In form and color the green and white lead-glazed Nare ware resembled the ware of the Chinese T'ang Dynasty, and pieces were frequently mistaken for Chinese imports. In the 12th century the use of lead glazes had disappeared in Japan and they did not reappear until the 16th century.

The actual firing of raku on the lower yard was conducted under the supervision of Bill

55-gallon drum, which was lined with Kaowool, an insulation material that was used to insulate the nosecones of the NASA spacecraft. Firebricks were then strategically placed within the well of the kiln in order to serve a two-fold purpose. First of all, to protect the pieces from the direct flame that supplies the heat. And secondly the bricks form a platform for the ceramic pieces to be placed on during their stay in the kiln. Over the top of the kiln is placed two firebrick slabs that are used to keep the heat in the kiln and to also act as a preheat platform for the following group of pieces to be fired.

Abright pointed out that the rule of thumb in how to tell when pieces are ready to be removed from the kiln is called fluxing. This is the term used to describe the melting of the glaze. The piece closest to the center of the kiln is the indicator fluxing piece, since this is the hottest position within the firing chamber. When this piece's glaze is shiny, the pieces are ready to be placed in the reduction buckets.

The pieces are immediately



CERAMIC STUDENT removing piece from reduction bucket.

placed in the reduction buckets and surrounded with either grass, shredded paper, or sawdust. When the red hot ceramic piece starts cracking, the cooler air in the middle of the piece draws the carbon through the cracks. The carbon is created from the burning of the paper, grass or sawdust. This gives the pieces their unique antique, textured appearance. On some pieces there can be found traces of smoke luster designs. This enchanting effect is caused by the smoke being soaked into the clay.

An air of excitement was prevalent as the pieces were removed from the kiln and placed in the reduction buckets. The resulting billows of smoke gave the event an appearance of a barbecue picnic.

As the smoke cleared, indicating that the reduction process was completed, the various members of the ceramics class removed their pieces from the buckets. There were expressions of amazement, wonder and pride on the faces of the artists as they marveled at the beauty of nature's elements working in conjunction with their creative talents.

Refreshments were supplied by the Burrito Conspiracy via Mr. Adler, food service supervisor. Yet the only burritos to be found were in the form of ceramic burrito banks.

The event was video taped by Eric Thiermann, coordinating manager of Impact Productions. This tape will be used to compile a documentary of CDC art programs. The program, including ceramics classes, and their raku firing will be aired on KQED, channel 9 sometime within the next two months. The function of Impact Productions is to show the general public the artistic positiveness of prisoners and prison life. "The overall media messages to date concerning prison life are negative and we at Impact Productions are attempting to shed some light on the fact that the prisoners have positive creative talents like any other human being," says Thiermann.

There is much for the individual to experience and ponder in raku. The experiences are as much internal as they are external.

## Hire an Ex-con



FINISHED PIECES radiating their beauty.

Abright, ceramics instructor at the college of Marin, who is well versed in the art of raku. Also assisting in the firing were Claudia Tarantino and Gail Caulfield, ceramics instructors. The whole event was coordinated under the direction of Lois Wu, handicraft manager.

The beauty of this process is that not only are the students carrying on a traditional art form, they're also able to have a finished piece in a fraction of the time; had they chosen the cold kiln method of firing. Since raku is a hot-kiln process the firing is between 10-20 minutes. Conventional cold-kiln process takes between 10-12 hours.

In ancient times, clay ovens were used for the firing of raku. For this modern day firing, an intriguingly creative kiln was used. This kiln's body was a



CERAMICS CLASS posing in back of the raku kiln.

# AB-383 Guarantees Life Term for Most With Priors

AB 383, as amended, Cramer. Sentences.

Existing law imposes an additional term of 3 or 5 years for the infliction of great bodily injury, as specified, in felony cases. Existing law also imposes an additional 3-year, 5-year or 10-year prison term for each prior violent felony upon a subsequent violent felony conviction.

This bill would additionally impose a life term concurrent to any other term in specified felony cases involving infliction of great bodily injury or use of force likely to produce great bodily injury. The offender would be designated as a habitual offender. A person so sentenced would not be eligible for release on parole for a period of at least 15 years, as specified, subject only to reduction for good behavior and participation credit. A commitment to the Youth Authority after a conviction for a felony would constitute a prior prison term for the purposes of imposing a life term under these provisions.

This bill would provide for the repeal of its provisions on January 1, 1987.

This bill would appropriate an unspecified amount from the General Fund to the Department of Corrections for the purposes of the bill.

Vote: majority 2/3. Appropriation: no yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 667.7 is added to the Penal Code, to read:

667.7. Any person convicted of a felony in which such person inflicted great bodily injury as provided in Section 12022.7, or personally used force which was likely to produce great bodily injury, who has served two or more prior separate prison terms as defined in Section 667.5 for the crime of murder; voluntary manslaughter; mayhem; rape by force or threat of great bodily harm; oral copulation by force, violence, duress, menace or threat of great bodily harm; sodomy by force, violence, duress, menace or threat of great bodily harm; lewd acts or a child under the age of 14 years by use of force, violence, duress, menace or threat of great bodily harm; kidnapping for ransom, extortion, or robbery; robbery involving the use of force or a deadly weapon; assault with intent to commit murder; assault with a deadly weapon; assault with a force likely to produce great bodily injury; assault with intent to commit rape, sodomy, oral copulation, penetration of a vaginal or anal opening in violation of Section 289, or lewd and lascivious acts on a child; arson of a structure; escape or attempted escape by an inmate with force or violence in violation of subdivision (a) of Section 4530, or of Section 4532; exploding a device with intent to murder in violation of Section 12308; exploding a destructive device which causes bodily injury in violation of Section 12309, or mayhem or great bodily injury in violation of Section 12310; exploding a destructive device with intent to injure, intimidate, or terrify, in violation of Section 12303.3; any felony in which such person inflicted great bodily injury as provided in Section

12022.7; or any felony punishable by death or life imprisonment with or without the possibility of parole is an a habitual offender and shall be punished by imprisonment in the state prison for life. The term imposed under this section shall be imposed pursuant to subdivision (b) of Section 1168 and shall be concurrent to the term imposed under Section 1170 for the underlying conviction and to any other term of imprisonment. and shall not be eligible for release on parole for 15 years, or the term determined by the court pursuant to Section 1170 for the underlying conviction, including any enhancement applicable under Chapter 4.5 (commencing with Section 1170) of Title 7 of Part 2, or any period prescribed by Section 190 or 3046, whichever is greatest. The provisions of Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall apply to reduce any minimum term in a state prison imposed pursuant to this section, but such person shall not otherwise be released on parole prior to such time. This section shall not prevent the imposition of the punishment of death or imprisonment for life without the possibility of parole. No prior prison term shall be used for this determination which was served prior to a period of 10 years in which the person remained free of both prison custody and the commission of an offense which results in a felony conviction. As used in this section, a commitment to the Youth Authority after conviction for a felony shall constitute a prior prison term. The term imposed under this section shall be imposed only if the prior prison terms are alleged under this section in the accusatory pleading, and either admitted by the defendant in open court, or found to be true by the jury trying the issue of guilt or by the court where guilt is established by a plea of guilty or nolo contendere or by a trial by the court sitting without a jury.

This section shall remain in effect only until January 1, 1987, and is repealed on such date, unless a later enacted statute which is chaptered before January 1, 1987, deletes or extends such date. However, the terms of those persons committed to terms of imprisonment pursuant to this section shall not be affected by the repeal of this section.

## Imbeciles Flourish

The reason there are so many imbeciles among imprisoned criminals is that an imbecile is so foolish even a detective can detect him.

— Austin O'Malley

## San Quentin News

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

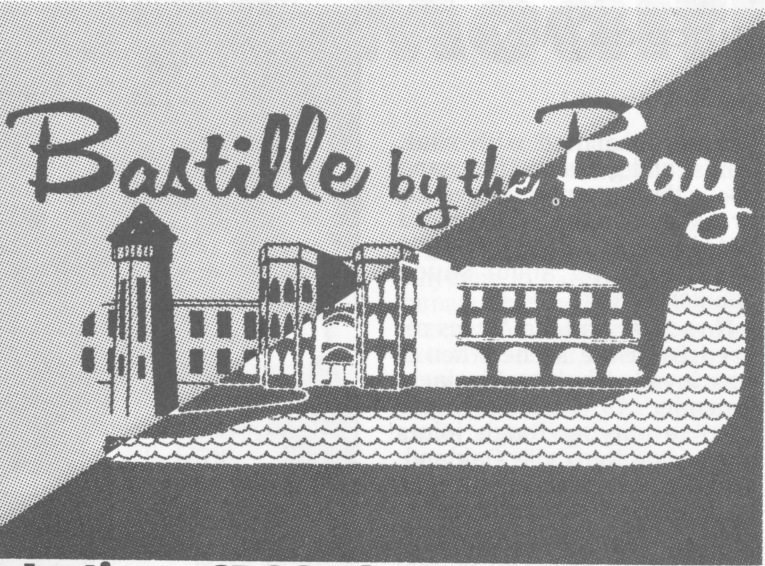
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G. W. Sumner ..... Warden  
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Justice — CDC Style

By Bill Torres

The outstanding difference between English Common Law and Roman Civil Law is the presumption of guilt. While the latter presumes that the accused is guilty, the Common Law is more reasonable. The pride of American justice is that it sides with the Common Law by upholding the innocence of the accused until a trial is held. Anything which abridges this judicial concept is contrary to the Bill of Rights and is unlawful.

Since the accused may be innocent even though he has been indicted by a grand jury, it would be unjust to incarcerate him; therefore, the only purpose for bail is to insure the appearance of the accused at trial proceedings. It is customary that those who will appear are released on their word alone and those who present a risk must be released upon reasonable bail.

Since law, to be fair, must disregard the identity of the accused, a prisoner deserves the same constitutional rights as a free man.

For instance, inmate Q has minimum custody, lives at the ranch dormitory and works at a San Quentin shop. A quantity of pruno which had been fermenting for one day is found at Q's place of work. Three coworkers allegedly secretly blame Q. Later, Q gets busted to the east block pending a disciplinary hearing, is issued a CDC-115, is deprived of his personal possessions and visits, and is reclassified to medium B custody. Q objects to the summary hearing without facing his accusers and having four witnesses appear for him, he requests an investigation. Because the incident is considered serious, an investigator is assigned.

One week later, a one-day investigation shows the following: Q was at the hospital the day the pruno was put up. Two of Q's coworkers were shipped out the day before he got busted. Q claims he doesn't even know how to make pruno. Q's close-custody supervisor claims he has never seen Q under the influence of alcohol, drinking, or making it; Q is a good and trusted employee. Three coworkers interviewed at the shop support the supervisor's claims and another coworker states that the pruno was 'definitely' not Q's, but he would not reveal whose it was Q's hearing, which was supposed to be within five days of the investigation was postponed for six more days. Two of Qs witnesses were supposed to leave two days before the new hearing date. At the hearing, all allegations were dismissed.

Q thinks himself fortunate that things came out as they did. If the matter had been administrative only, no investigation would have been done. He could have been confined to quarters (disciplinary detention), or even locked down without the benefit of a hearing, but Q is not happy.

"What about the prestige that I lost?" He asks, "What about the fact that I was deprived of my personal belongings without just cause? What about the lost earnings that I need when I get out this month? What about the bitterness of being punished without due process? What about the fact that the system is supposed to be teaching us the difference between right and wrong? How come my accusers did not even face me as it says in the Bill of Rights and in Bible law? What about the fact that I was not given a trial by a jury of my peers? What about the visits that I never had with my loved ones while this was going on? What about justice?"

It appears unreasonable to hold prisoners against their will in lockdown or administrative segregation prior to trial. This is particularly true for nonviolent individuals who are already incarcerated. Nevertheless, California prisoners are commonly locked down as a result of rumors malicious gossip, and false information. Such things as refusal of involuntary work, accidental destruction of state property, possession of prohibited substances, accusations of stealing to supplement a meager existence, and even evidence of blood from self-inflicted injury often result in going to jail within a prison without the benefit of the slightest doubt.

Court Gives Suspects Important New Rights

N.Y. Times

The Supreme Court, ruling unanimously in two unrelated murder cases, significantly expanded the constitutional protection against self-incrimination.

One decision has the immediate effect of invalidating the death sentences of 30 death row inmates in Texas. The court ruled that a murder defendant must be given the right to remain silent when questioned by a psychiatrist who may later testify for the prosecution that the defendant is "dangerous" and should be put to death.

The second decision held that once a criminal suspect has invoked his right to have a lawyer present during questioning, he cannot later be regarded as having waived that right unless he, himself, initiates further conversations with the police.

The second decision, reversing the murder conviction of an Arizona man, addressed a question that the court had left open in its landmark Miranda decision in 1966. The court in Miranda said that a suspect in police custody must be given the right to remain silent and the right to counsel during interrogation. It has been unclear, however, under what circumstances a suspect who has once invoked his Miranda rights may later change his mind and talk to the police.

The suspect in the recent case invoked his Miranda rights, but was approached again by the police the next day and made incriminating admissions. The Arizona courts ruled that because the confession was "voluntary," it could be admitted at trial.

Writing for the court, Associate Justice Byron R. White said that the "voluntariness" of the confession did not prove that the defendant meant to waive the right to counsel that he had invoked only the day before.

"When an accused has invoked his right to have counsel present during custodial interrogation," White wrote, "a valid waiver of that right cannot be established by showing only that he responded to further police initiated custodial interrogation even if he has been advised of his rights."

Rather, White continued, once the accused has invoked his right to counsel, he "is not subject to further interrogation by the authorities until counsel has been made available to him, unless the accused himself initiates further communication, exchanges or conversations with the police."

While the Arizona case involved a routine aspect of police interrogation, the Texas death penalty case involved a situation essentially unique to Texas.

Movie List	
May 23 —	"The Gong Show Movie," R, 89 min.
May 25 —	"California Dreamer," (Hol) R, 92 min.
May 30 —	"The Big Red One," PG, 111 min.
June 6 —	"Scannes," R, 94 102 min.
June 13 —	"Private Benjamin," R, 110 min.
June 13 —	"Flor De La Mafia," (Mex) PG, 91 min.
June 20 —	"Bad Timing," R, 120 min.
June 27 —	"Hollywood Knights," R, 91 min.

Under Texas' death penalty law, upheld by the Supreme Court, a separate penalty trial is held after a defendant has been convicted of murder. The death penalty can result only if the jury at the penalty trial finds that the convicted murderer is likely to be dangerous in the future.

To prove "future dangerousness," the prosecution relied on testimony of a psychiatrist who had interviewed the defendant before his first trial, ostensibly to determine whether he was competent to stand trial.

On the basis of the psychiatric testimony, the defendant, Earnest Benjamin Smith, was sentenced to death. But two lower federal courts overturned the sentence on the ground that Smith should have been given the right to remain silent at the pre-trial psychiatric interview and should have been given the right to consult with his lawyer before deciding whether to submit to the interview.

Texas appealed to the Supreme Court, arguing that the Fifth Amendment's protection against self-incrimination was not relevant to the post-conviction, "penalty phase" of a murder trial.

Writing for the court, Chief Justice Warren Burger disagreed. "We can discern no basis to distinguish between the guilt and penalty phases," he wrote.

Brut Removed From Canteen

Warden Sumner has ordered all Brut products to be removed from the canteen immediately. This includes the stick deodorant, hair spray, after shave and cologne. All of these products have been tested and found to be highly flammable due to their alcoholic content.

The MAC is conducting a survey of which of the following deodorant products the inmates of SQ would like to have sold in the canteen as a replacement for the Brut line.

The following are the product lines being suggested: Old Spice deodorant powder, Arrid stick, Ban stick, Secret stick, or Mennen stick. If you have any other suggestions that were not offered above, please submit them to the MAC office.

Second Quarterly Pastries Sale

The second quarterly pastries sale has been approved for this year and the deadline for ordering pastries will be July 5. The pastries will be delivered July 25.

The pastries can be purchased by the mainline population and lock-up units for \$3 each. Anyone wishing to make a purchase can do so from their housing units and their orders must be turned in no later than July 5 to the Al-Islamic office No. 4 or the salesman.

The following is a list of pastries that will be available for purchase: pineapple cheese pie, blueberry cheese pie, cherry cheese pie, bean pie, and oatmeal cookies.

All cookies will be sold in \$3 packages only.

New Open Line Schedule

Effective May 25, the family visiting coordinator will hold open line at 9:30 a.m. every other Monday at the MAC office.

Turn in ID cards to the 4-Post officer and Officer Ballatore will answer questions regarding family visiting. Questions will no longer be answered over the phone.

Jumu'a

Every week has one special day to remember and observe. This Friday, and its significance stems from the noon congregational prayers which must be observed by every Muslim who can attend.

9 O'Ye who believe  
When the call is proclaimed  
To prayer on Friday  
(the day of Assembly)  
Hasten earnestly to the  
Remembrance

Of God, and leave off  
Business (and traffic):  
That is best for you  
if ye but knew!

10 And when the Prayer  
Is finished, then may ye  
Disperse through the land,  
And seek of the Bounty  
Of God: and celebrate  
The Praises of God  
Often (and without stint):  
That ye may prosper.

11 But when they see  
Some bargain or some  
Amusement, they disperse  
Headlong to it, and leave  
Thee standing. Say:  
"The (blessing) from the Presence  
Of God is better than  
Any amusement or bargain!  
And God is the Best  
To Provide (for all needs)."

Holy Quran  
Sura LXII Ayat 9 to 11  
A. Yusuf Ali translation

Friday: The prayer call (Adhan), 11:45 a.m.; The Friday prayer (Jumu'a) noon.

Sunday: Islamic service, 9:30 a.m.

Letters

Dear Editor:

Do you have that rundown, tired, lifeless feeling when you crawl out of that bunk to start a new day? Do you ever wonder why your mind doesn't have that sharp intelligent awareness that it once had?

The reason for the absence of these human qualities may surprise you. It is caused by not eating a proper diet. A person cannot grow physically or mentally without protein or vitamins. Meat, fish, poultry, dairy products, and lentils are our main source of protein. The source of vitamins here at San Quentin, is also in our food. Vegetables provide our largest amount of vitamins, unless they are overcooked.

We are going to have some real difficulties when we go back to work in society. Our minds and bodies will be functioning way below our potential. This is a trap that we are caught in by CDC. When we cannot hold a job due to mental and physical deficiency, CDC gets us back because we turned to another means of making a living.

Mental patients have been cured by giving to them megadoses of the B vitamins. It has been proven that large amounts of fresh fruit and protein foods can develop the brain towards increased intelligence.

So, if you are functioning below your standard, both physically and mentally, you now know why.

—DM. Jay B-79646

Dear Editor:

A great big thank you to the visiting staff and workers on Mother's Day.

The cheerful and efficient processing and clean tube was like a Mother's Day present for all of us who were out there.

Sincerely,  
—Mrs Cornell "Trooper" Webb



## Prisoners' Property Regulations Modified . . .

Continued from page 1

cordance with Section 4602.

Television set, radio, record player, cartridge and cassette player, hobby tools/equipment, typewriter, musical instrument, clock, electric shaver, tennis/raquetball racket, high intensity lamp, watch, ring, calculator, headset, sewing machine, padlocks and keys (unless issued by CDC), footlocker (unless issued by CDC), all special canteen purchases, fans, electric curlers.

(b) Appliances with internal mechanism for recording capability are not allowed. Appliances must have been manufactured without such capability. Alterations are not permitted.

### Article 2

#### Inmate Property

Sec. 4613. Property Allowed All Inmates after Reception Processing.

(a) Within limits established, all inmates may be allowed to purchase, receive and possess the items listed, except for the items which cannot be accommodated due to a situation peculiar to a given facility; e.v., open dormitory housing which precludes individual television sets; rugs which would create a fire hazard; or, while an inmate is housed in a reception center for processing upon arrival or return to the Department of Corrections. Upon transfer for out-to-court or other temporary transfer reasons, all personal property is to be retained by the sending institution.

Sec. 4614. Approved Property.

(a) Portable radio, AM/FM only, with built-in antenna; battery operated or with detachable electric plug-in type cord; with earphones and jack; transistor type. Value not to exceed \$125. Dimensions not to exceed 12" x 9" x 3". Batteries to be used are the energizer type only. Radios may be in combination with TV and cassette or tape player.

(b) Portable television set, black and white or color. Outside dimensions not to exceed 15" x 15" x 15"; weight not to exceed 30 pounds. May be in combination with AM/FM radio; must be transistorized type, up to 100 watts where institution power permits; batteryoperated or plug-in type electrical cord. Value not to exceed \$500. Television sets must be provided with an earphone jack and earphone by the manufacturer. Any repairs must be done by approved outside vendor at inmate expense or in an approved CDC vocational or industrial electronic program.

(c) Portable 4-track cassette or 8-track cartridge tape player; may be a radio-cassette tape player combination with earphone jack and earphones. The cassette/cartridge tape player component must be nonrecording, battery operated or with detachable plug-in type electric cord; cassette only, no reel or spool type tapes. Value not to exceed \$200 and dimensions to be approximately 15" x 10" x 5".

(d) Portable record player combination. Three speed, battery operated or electric with detachable plug-in type cord and any combination of 8-track cartridge tape player, AM/FM radio, or record player. Dimensions to be approximately 16" x 9" x 14", with earphones and jacks; no separate speakers. Value not to exceed \$200.

Items (a), (b), (c), and (d) are subject to the following regulations:

(1) May be purchased by the inmate through special canteen procedure or ordered and shipped direct from a vendor by any person who could be approved as a visitor;

(2) Items not currently in compliance with the earphone and jack regulation must be modified

within six months of the adoption of this revision, by an approved vendor at inmate expense or in an approved CDC vocational or industrial electronic program;

(e) Typewriter; one, portable electric or non-electric. Value not to exceed \$150.

(f) Musical instruments; one, non-electric. No cumbersome instruments, e.g., bass, viola, drums, etc., subject to limitations specified in section 4601.

(g) Jewelry.

(1) Watch; one, wrist or pocket type. No sets/stones. Value not to exceed \$100. Inmate must sign a statement as to the value of the watch.

(2) Ring; one, band-type only. No sets/stones. Value not to exceed \$100. Inmate must sign a statement as to the value of the ring.

(3) Religious medals and chains, value not to exceed \$100. Inmate must sign a statement as to the value of the medal or chain.

(h) Medical property; as approved by individual institutional medical staff only.

(i) Books and albums.

(1) Address book; one only.

(2) Photo Album; one only, dimensions not to exceed 13" x 12".

(3) Books; limit of 15. Books received through the mail must have prior approval of appropriate staff. No book clubs permitted.

(4) Magazines and newspapers; overall, or combined total not to exceed 15 magazines and newspapers.

(5) Binder; no zipper.

(j) Footwear; special canteen purchase or shipped directly from vendor with prior permission to receive from an approved outside source.

(1) Shoes; two pair maximum. Value not to exceed \$60 per pair.

(2) Slippers/sandals; one pair each.

(3) Athletic shoes; limit one pair.

(4) Shower thongs; limit one pair.

(k) Personal equipment.

(1) Cigarette lighter; disposable, see-through butane-type only.

(2) Tweezers; 3" size limit.

(3) Athletic supporter.

(4) Safety razor; canteen purchase or state issue.

(5) Shavers; electric cord or cordless. Limit one.

(6) Head bands; stretch terry cloth only.

(7) Shoe horn; plastic only.

(8) Photographs; portraits not to exceed 8" x 10", paper frames, no attached backs. Reasonable number of snapshots are permitted.

(1) Civilian clothing; the only articles of civilian clothing allowed are:

(1) Sweatshirts; may be of any solid color except shades of green or brown. No lettering or logos, no hoods, no zipper.

(2) Blue jeans; unfaded blue denim-type only. No leather reinforced pockets, no embroidery, no quilt-type, no zipper pockets.

(3) Undershirts; may be of any solid color except shades of green or brown. No lettering or logos.

(4) Shorts/lingerie; solid colors only, no shades of green or brown.

(5) Long underwear; solid colors only, no shades of green or brown.

(6) Athletic shorts/trunks/swimsuit.

(7) Socks/hose.

(8) Belts; limit one, not to exceed 1½" in width.

(9) Buckle; limit one, not to exceed 2" x 2" maximum weight not to exceed 1½ ounces. Must have blunt edges. Open style only.

(10) Dress shirt; no shades of

green or brown, no logos, pictures or printed lettering.

(m) Miscellaneous.

(1) Throw rugs; demensions not to exceed 24" x 36", must be canteen purchased, fire retardant, value not to exceed \$30. Shag, braid, or decorative fringe-types not allowed.

(2) Table games. Value not to exceed \$25 each set.

(3) Racket; one only, either tennis or racquet-ball (press and case included), six balls, where courts are available.

(4) Foot locker; limit two, dimensions not to exceed 12" x 16" x 30".

(5) Batteries; energizer type only.

(6) Electric curlers; limit one set.

(7) Electric fan; limit one, UL approved, maximum diameter 10", plastic blades only.

(8) Sewing machine; limit one, must be handcraft approved.

(9) High intensity lamp, limit one, weight not to exceed 3 pounds, maximum extended length not to exceed 18". No metal bases.

Sec. 4615. Legal Material. Subject to limitations specified in Section 4601. Legal material need not be placed on inmate property card.

Sec. 4616 Awards, Trophies, Prizes. These articles are to include only those received during current confinement, must have permission slip from the appropriate sponsor.

Sec. 4617. Handicraft. All handicraft materials in the cells or living areas, or for transfer between institutions are subject to the limitations specified in Section 4601. Handicraft materials, supplies and finished products in the cell or living area not to exceed \$100 maximum value. Inmates participating in hobby must be enrolled in an approved handicraft program. The inmate must keep on display a current tool and supply list. Upon transfer, all excess handicraft will be shipped at the inmate's expense.

Sec. 4618 Organization Membership Cards. Inmates will be permitted to retain membership cards in civic, social, benevolent, and professional organization and associations as are in their possession at the time of reception and as subsequently received by mail. The policy to permit inmates to retain such cards does not apply to credit or payment cards, or membership cards for organizations with a history of activities which threaten the security of the institution or seek to advance "hate" propaganda, nor does it indicate endorsement for official recognition of the organization or association policy represented by the card or of the activities and interests of its membership.

## Court Relief . . .

Continued from page 1

submission. It was a rehearing of arguments first held Last November, that resulted in Weigle ordering an end to putting inmates two to a cell, ordering more exercise periods, increased visiting, and other changes.

A three-judge federal appellate court overturned Weigle's orders in March, ordering the case reheard on narrower grounds because he "went too far in embracing a broad range of prison reforms."

Mike Madding, prison information officer, said that the prison started making changes in maximum security conditions after Weigle's original injunction but halted them when the order was reversed.

## Cinco de Mayo . . .

Continued from page 1

Francisco armed with soul, songs, and guitars. They sang about the romantic causes for drinking and they did "Malaguena Salerosa," a beautiful song about saucy Spanish women.

No sooner had the Aztecs retired from the scene when it was invaded by the Mariachi Palenque '78. These guys are used to playing rough joints like Senor Nero's in Oakland. Jose Saucedo blasted with his trumpet, while Santiago Rivera did the guitar, Salvador Ortega the bass violin, and Francisco Coronado fiddled, while Consuelo set everybody's heart on fire with sultry Mexican, get-down singing about love, con corazon, from the bottom of her heart.

Jesse Perez sang about the sadness of being away from home, then he poured out his feelings about his last cup of pruno, everybody cried, and more love. Jesse's been here before, this is his second gig, "I'm coming back in September to share some more good times," he said, Some guys never learn.

Mario Moreno, Cantinflas' tocayo, did a serious number



JESSE PEREZ, Mezcla's talent scout demonstrates his own.

about his inability to communicate his intentions to the woman in his life, the guys gave him a few hints. "La Parca de Oro" — the Ship of Gold — topped Mario's performance, it is a Mexican farewell song.

Then "Rafas," Rafael Herrera, our own voice of freedom cried, acted, and showed his feelings about what he likes to do best — being free, anywhere. He did it impromptu and, off the cuff, he brought the house down with Palenque's help.

Palenque then cooled it with mellow instrumentals until Consuelo came back with the authority of brass to back her play. She finished a capella asking all the men in the world to quit drinking tequila and get hooked on love instead. She meant it!

After that, we had to take a break. Claire Carter a first-time SQ visitor was "really enjoying the show." So was Mrs. Larson who thought the shows are a good thing, if we can afford them. The Ballet Aztlan enhanced the break with a choreographic potpourri and lots of grace. They held up their part of the deal pretty good, though kids.

Palenque '78 came back to show that their first performance wasn't just good fortune. When Consuelo sang you could have heard a feather drop, everybody was all ears. The



GLORIA VASQUEZ promised many happy returns.

kids from Aztlan added folklore to the effort.

John Lopez and his musical slaves, Los Esclavos, did a number and immediately enslaved Mario Moreno to sing about the life of prisoners, passions and, you guessed it, more love. Los Esclavos is a San Jose group which was smuggled in by "Chino" Lopez with the help of Juan and Joe Lopez who played the accordions; Richard Moteo did drums, Danny Salas bass, and Adan Sanchez, guitar. Robert Salas is their public relations hit man.

It was 2 o'clock and everybody had the munchies real bad. So these guys from Mezcla gave the signal and within five minutes their boys had taken down the barricades and changed the whole theater into a banquet room. "Smokey" Thomas expressed his admiration for the way in which everything was being done. Some of the hostages were released at this time because Mezcla had only managed to scrape up enough Mexican contraband for about 600 victims.

David Sims con "Pancho" Salas did all the screaming Mexican cooking with their accomplice, Roger Adler. They put out frijoles, rice, salsa, carnitas, spiced hamburguesas, corn, pumpkin empanadas, tossed green salad, flour tortillas, celerio stickos, leche, cool aid, cafe, chicharrones.



CONSUELO advocated her own cause.

and lots of nice tomatoes! Everybody stuffed themselves while Necka did some excellent background work. "Everday should be Cinco de Mayo," said Miguel Barraza. He was right, it was the sixteenth.

Gloria Vasquez blamed the success of the whole thing on the Mezcla, their committees, and the cooperation of the staff, "Especially Clarence Wilson," she said. That's a pretty good indictment, if you ask me.

The melee was over by 3 p.m. The revolution was over and everybody won. San Quentin will never be the same. All the hostages were released in plenty of time for the 4 p.m. count, but nobody busted out. With grub and entertainment like that, who wants to go anywhere?



# Convict Killed; Prison Slammed

The prison was placed on total lockdown status May 23 following the death of a white west block prisoner, apparently the victim of an assault.

Scott Dennison Spaulding, 34, was found lying on the floor of his cell at approximately 11:25 a.m. and was rushed to the prison hospital where he was pronounced dead, said prison officials.

Spaulding was apparently the victim of a knife and hammer attack, receiving three severe wounds to the head, six minor stab wounds in the chest and two minor hand wounds to the hand. A seven-inch, prison-made knife and a claw hammer were found at the scene.

The institution was then placed on a general lockdown status pending investigation. On May 25, prisoners on west block's citizen's row were released from the lockdown. Two days following, the lockdown was lifted for all prisoners, other than whites, with an exception made for preferred workers.

As of our Tuesday deadline, approximately 60 white pris-

oners remained locked down. According to the Administrative Assistant, John Campbell, these are prisoners who have been "identified by housing unit staff as bikers or affiliates of bikers."

Campbell said that four white prisoners have been placed in administrative



SCOTT SPAULDING

segregation pending investigation. Two of these men are being considered suspects, he said.

Spaulding was a first-termer serving a nine-year sentence from Sonoma County for second-degree murder. He was received Aug. 15, 1979.

# Bruce 10 Thurs San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 20

TAMAL, CALIFORNIA 94964

Friday, June 5, 1981

## Disturbance at DVI Leaves 7 Injured

TRACY — Lunch at the Deuel Vocational Institution turned into a racial disturbance last week when inmates used lunch trays, knives and forks to attack one another, a prison spokesman said.

Six inmates and one guard suffered cuts, bruises and other minor injuries, according to staff duty officer Bruce Dyer.

The melee erupted when several dozen black inmates who had finished lunch threw their trays at the white inmates, Dyer said. Meanwhile, a fight involving black, white and Chicano inmates broke out

in a second dining room, and it took an hour for the guards, using nine tear gas shells, to quell the disturbances, Dyer said.

The guards found seven prison-made weapons and a number of sharpened utensils, including spoons, a ladle and eight forks, Byer said.

Officials speculated that the trouble at the prison — known as "the Gladiator School" for its young, violent inmates and heavy prison gang influence — may have been triggered by recent outbursts of violence at prisons in Nevada and Michigan.

## Folsom Logs Sixth Assault

In the sixth stabbing in six days, a convicted murderer at Folsom was stabbed in the back with a 10-inch knife fashioned from scrap metal, officials reported.

The name of the 42-year-old inmate was withheld until his relatives could be notified. He underwent surgery at the University of California Medical Center at Sacramento and is in stable condition.

There are no suspects in the stabbing, and it appeared unrelated to any of the other attacks in the recent past, said Miller.

Prison officials said they planned no prolonged lockup of the institution, but would continue their search for weapons.

## Price Chosen To Edit News

Jimmy Price, veteran News reporter, has been chosen to edit the weekly tabloid. The departing editor, Joe Morse,



JIMMY PRICE

has decided to resume his vocational training.

After hearing of his promotion, Price called a news conference to assure readers of the News that the paper would continue to live up to its reputation.

"This will give me a chance to learn the mechanics of putting out a paper," said Price. "The content, of course, will still depend on the interests and attitudes of the reporters—not to mention the restrictions of censorship."

## Job Openings For Bakers

The prison bake shop has immediate openings for experienced bakers who have a desire to learn the business. Pay scales range from \$14 to \$21 monthly.

Please call D. P. Freman or Officer Granger at ext. 365 to apply.

WEEKEND MOVIE

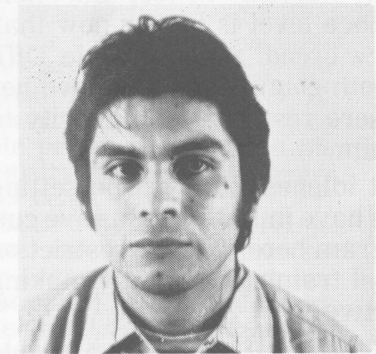
## Scanners

This is a supernatural thriller about good scanners versus bad scanners, and the mindblowing things they like to do to each other. "Scanners" is an eye-popping example of what a fellow can do if he just uses his brain. Stars Stephen Lack, Jennifer O'Neill, and Patrick McGeehan. Rated R.

## Fire in B Section Claims Cons' Lives

A freak cell fire claimed the lives of two Mexican-American prisoners May 30 in the Badger Section housing unit, prompting an investigation by State Fire Marshal and Department of Justice officials.

Joseph Hurtado, 28, and Andres Valdez, 26, apparently died of burns and asphyxiation from the 1:35 a.m. fire, according to a preliminary in-



ANDRES VALDEZ

vestigation by the coroner's office.

A statement issued by the warden's office gave the following account of the incident.

Starting at 11:45 p.m., a series of fires had been ignited and thrown onto the tiers by various prisoners in the unit, apparently in a protest to a lockdown imposed on that unit two days previously.

At 1:35 a.m. a gunrail officer saw either Hurtado or Valdez starting a blanket on fire which had been hung on the front of the cell. The officer said he ordered the fire put out, but was ignored. He then made a call to the sergeant's office and a floor officer responded with a fire extinguisher.

## Musical Group At Garden Chapel

The Kronos, a San Francisco group, will be playing at 12:30, Saturday in the Garden Chapel. The group is well-known for its renditions of Jimmy Hendrix classics. This is their first time live at San Quentin.

The fire, at this point, apparently got out of control and caused a television set to blow up.

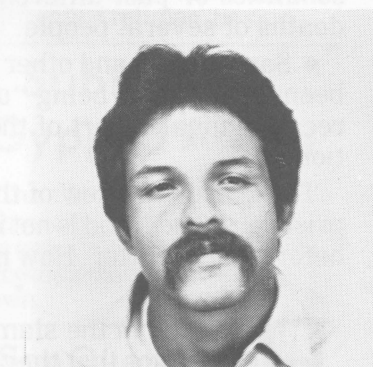
The floor officer emptied his extinguisher with little effect and he called for additional help. Five more extinguishers were used while staff attempted to open the cell. A recently-installed fire hose was found to be too short and another hose had to be located and attached.

Because of the intensity of the heat, the cell door expanded and jammed, preventing the door from opening until the water hose could be used to cool the steel bars.

The trapped men died in the fire and the cell was destroyed.

State investigators were called in to determine if there were other flammable materials stored in the cell other than assigned property.

Hurtado was a third-termer received June 28, 1979, and was



JOSEPH HURTADO

serving a 10-year sentence for a Ventura County robbery conviction.

Valdez was a second-termer received Oct. 30, 1979, and was serving a five-year term for a Sacramento County robbery conviction.

## Ballgame Sunday

The San Quentin Pirates will be playing Novato at 1 a.m., Saturday on the lower yard.

### S.F. Chronicle

A 29-year-old Folsom Prison convict was stabbed and seriously wounded May 20 in the fifth knifing in five days.

Gavino Lopez, recently transferred from the Fresno County jail, was listed in serious condition at University Medical Center in Sacramento with two stab wounds in the chest.

Two inmates were seized as suspects and two prison-made knives were found, according to officials.

Prison spokesman Gil Miller said Folsom officials know of no connection between this incident and the other four stabbings, but stopped short of ruling out the possibility of prison gang violence.

"It is possible that it is gang related, but we don't know," Miller said.

Miller said one of the five stabbings last week occurred in the prison yard, and the others were in different locations in the facility. He said normal prison operations are continuing, but inmates are being searched more often for weapons.

"Right now our major con-

cern is human safety," Miller said. "We do not have plans to have a lockdown now, but if the violence continues we will have to consider this."

There are 1,855 inmates at Folsom, about 100 more than the prison was designed to hold, Miller said.

The latest stabbing occurred at the top of a stairway as the victim was on his way to an 8 a.m. breakfast call in the main area of the prison.

The prisoner was transferred to Folsom two weeks ago and was due to be paroled in December after serving a sentence from Fresno County for drug possession and escape, Miller said.

On Tuesday, Richard Smiley, 51, convicted of sex crimes in Los Angeles County, was stabbed in the back and neck as he left his cellblock. Officers found a knife, but no suspects. Smiley, who had been hospitalized in critical condition at the Medical Center, was in stable condition, Miller said.

The other stab victims are recuperating at the prison. Prison officials have no suspects in those cases.

## Student Assembly Program Monday

There will be a student assembly program held in the chapel annex on Monday from 1 to 3 p.m., according to Bayview School Principal Ken Barnes.

The program will host an animated costume review, a school administration news briefing, performances in art, music, literature, humor, and poetry, among other presentations.

Gregory LaRue, a representative for the Student Advisory Council, said that the purpose of the program is to commend student achievement and celebrate accomplishments over the past year.

The assembly program will be open to all students and staff of the education department.

**POPULATION  
COUNT  
2,969**

Friday, June 5

## Hire Ex-Cons For Tax Credit

Targeted jobs tax credit is a special program which provides a tax incentive to private employers who hire groups with high unemployment rates or special economic needs. One of these groups includes ex-offenders. You can obtain more information from your local IRS office or a local Job Service. If you are a private employer in a trade or business, please consider hiring an ex-offender. A job can make a big difference.



# MAC To Challenge Property Revisions

In response to the revised property regulations outlined in the May 22 edition of the News, the MAC has prepared and forwarded the following memorandum to C. M. Larson, deputy warden.

The executive council of the MAC, as well as the two presidential advisors, have read the Administrative Manual Revisions for Chapter 4600, Inmate Property and our concerns are as follows:

1. We are primarily concerned with your interpretation of this revision as it applies to San Quentin, the west honor block, and citizens row.

2. There are quite a few ambiguities contained in the revision package along with a number of senseless and unreasonable item limitations, i.e., one pair of prescription eyeglasses. When one has been in the system just a very short period of time and knows the length of time it takes to replace his eyeglasses in the event of repair or total replacement, it is essential that he be allowed to maintain two pair on his property so that in the event repair is needed for one he will have adequate replacement until the initial pair has been repaired.

3. The limit of hobby in the cell to \$100 is not feasible when we consider that some people assigned to full-time hobby and have more than \$2,000 worth of hobby equipment. We have found that one ring casting, and one order for cable car materials will well exceed \$400.

4. What we are primarily interested in is not necessarily the two-box limit for personal property items, because there does not seem to be any quantity limit to the amount of personal property clothing items and those things which make the system more considerate of out needs. Our question is: Do we have to keep the allowable items in boxes, and is this revision aimed at doing away with cell furniture, hobby benches, desks, etc.?

5. We feel that the compliance date of Nov. 1, is unreasonable in that it shows a grave insensitivity on the part of CDC administrators towards those prisoners who have been housed in certain facilities over a number of years, as well as those who have attained honor status.

Our recommendation would be for exclusion of residents of west block with the stipulation that upon transfer and change of housing status, all excess property be either shipped at their expense or disposed of by the institution.

The two-box personal property stipulation has been ongoing for the past couple of years and most residents are aware of this. However, we do not feel any traumatic occurrence would be forthcoming if residents were informed that they could keep the property they have as long as they maintain honor residency, but upon change of residence or honor status compliance with the new regulations would be mandatory.

Most of the people we have talked to concerning these new revisions seem to be able to live with the two-box limit, and while we do not necessarily agree with some of the restrictions, we can live with them providing that the institution does not interpret this revision of property to also include revision of the physical cell standards as well.

We have considered and do understand the necessity in providing a statewide policy for inmate property. But, what we expressly do not agree with, and wish to have your support in, is that we are not like DVI, CMC, and Vacaville, where these institutions and those like them have closed steel doors for privacy, outside vents for air, and inside heating during winter months. It is all well and good if we were all alike and have the same set of rules everywhere; but San Quentin is drafty and the cells are very small, etc. In the institutions with solid-door cells, the officers have no difficulty in counting through a 6" pane of glass, and yet we continually hear about problems with excess property and the fact that San Quentin correctional officers have difficulty counting through an area that is 2' x 2', when the cells are closed off except for the top two bars of the door.

In reading the inmate property revision information we noticed that fans were permissible items, yet, at San Quentin, fans have never been purchaseable. We know that the exclusion of this item has to do with this institution's electrical system, and we can understand the exclusion practice. We are all aware that San Quentin is unique to other correctional facilities, primarily because of its antiquity. This awareness alone would indicate that compliance to regulations, which would otherwise be acceptable in newer institutions, would not be commensurate with San Quentin's capacity to comply. The same premise must be considered where the prisoner population is concerned. And this should not always be aimed at our detriment, but rather to our betterment.

We have discussed with the warden our desire to invite Mrs. Rushen and the administrator of this property revision to San Quentin to participate in a tour of the institution, with the MAC Executive Body as their guides, so that we might be able to point out to them the inequities in living conditions here in comparison to CMC, Soledad, DVI, etc. We would further ask, that after such a tour we be afforded an opportunity to cite certain inconsistencies contained in the present revision to Chapter 4600.

## Burger Again Pushes for Prison Schools

WASHINGTON — Chief Justice Warren E. Burger called for mandatory educational and vocational programs for prison inmates and the establishment of a "national academy" for prison guards.

Both proposals are among those Burger has advocated publicly in the past, but he singled them out as "affordable in terms of the psychology and the political and economic realities of 1981."

"Even in this day of necessary budget austerity, I hope that the president and the Congress will be willing to consider these two modest, but important steps," Burger said in remarks prepared for delivery to the George Washington University Law School graduation.

The chief justice outlined what he called a "costly" set of about 12 proposals, including mandatory educational and vocational programs, speedier trials and appeals, better visitation facilities for inmates' families and more post-release counseling.

The Reagan administration, however, has signaled its intention to reduce spending drastically for the next several years.

Burger said that every inmate who cannot read, write, spell or do simple arithmetic should be given training as "a mandatory requirement."

He called for other mandatory training so that "a prisoner would not leave the institution without some qualifications for employment in the construction, manufacturing or service industries."

Burger called for shortened sentences for inmates who cooperate with the training programs.

"We should proceed at once to create a national academy of corrections to train personnel much as the FBI has trained state and local police," Burger said of prison guard training.

He said the academy could be located near the existing FBI police academy about 50 miles south of Washington in Quantico, Va. He indicated it would concentrate on training state and local prison guards.

## Ousted Prison Chief Loses State Appeal

S.F. Chronicle

Former Department of Corrections Director Jiro Enomoto lost his final bid to win back his job recently when the California Supreme Court declined to hear his request for a formal hearing before the Board of Corrections.

Enomoto made the request after a state appeal court in late March upheld the right of Governor Brown to dismiss Enomoto as chief of the state prison system and replace him with Ruth Rushen.

Enomoto appealed to the state Supreme Court, claiming that he had a right to a formal filing of charges against him and the right to defend himself in a full hearing before the corrections board.

He asked the court to order his reinstatement and back wages pending the hearing.

The court voted unanimously not to accept Enomoto's case, which leaves standing the appeal court decision.

Governor Brown appointed Enomoto corrections director in December of 1975, and dismissed him in April of 1980.



## A Premortem Obituary—

By Joe Morse

**D**ISTURBANCES in three correctional institutions last week prompted several people to ask, "Can it happen in San Quentin?" I believe it can—and will.

The Legislature and the Department of Corrections have set the stage, making a major disturbance in this state nearly inevitable.

The aftermath of such a disturbance results in the convict being branded a "damn animal" and the outside media spends little time asking *why* an institution explodes with such ferocity. As usual, it all becomes a geek show and the public is shown nothing but burned buildings and damaged bodies. Why did it happen? Damn few even ask. As a result, I will take this opportunity to state the compounded reasons SQ—and perhaps every other California institution—will eventually burst at the seams. I expect to prevent nothing. I am simply observing.

- Today's law and order trend has resulted in bill after bill being introduced to lengthen prison terms.

- Senator John Doolittle's recent proposal to lengthen prison terms is simply a continuation of the political manipulation going on, but his comment, "... what happens to them there [in prison] I could care less about, as long as I get them off the street..." exemplifies the indifference felt towards California prisoners.

- Over 400 convicts are being manipulated and unjustly branded a "new breed" of prisoner—thus being the alleged cause of most of SQ's recent troubles. A May 10 article in the SF Examiner quotes Warden Sumner and Officer Annice Lacefield as blaming the "new breed" for the recent death of a furniture factory supervisor and the stabbing of a guard in the adjustment center. No close-custody prisoner was involved in either incident. Officer Lacefield further states that the violence level is higher now than ever before, and that the "new breed" is responsible. Officer Lacefield is wrong on both counts, and I believe her three years of experience here restrict her authority to make such an erroneous claim.

- In spite of the fact that idleness in a prison setting proves to be deadly, officials have initiated a massive cut-back in the educational program here, and the restriction on participation in vocational training is rapidly making that program less than effective.

- The new computerized classification system not only disrupts family ties and often abates vocational training and an educational program, it does not consider personalities or past differences. In short, it will cause the deaths of several people.

- San Quentin and other California prisons have already been criticized as being "unfit for human habitation" in a recent annual report of the California State Bar Association.

These are but a few of the thoughts troubling California prisoners. The trend is not in our favor, and it will get worse before it gets better. How much worse? Only time will tell.

\* \* \*

**P**EOPLE in the slammer can quit wondering about the rumor that they're gonna build a 2' x 2' exercise yard for each resident of the north block. As ya can see by the article in this week's issue, the warden gave away SQ's whole stash of cyclone fencing.

Need something built? Call Big George. No questions asked.

\* \* \*

**B**AD NEWS, fans. This will be my last editorial. My agreement was to keep the paper going until someone else could be broken in. I believe Jimmy Price can and will do a good job at his new position as captain of the Titanic.

I'm returning to the composing room to resume my vocational training. My short stint on the paper this time has been interesting—at times—and I like to think I kept things going in the right direction. I know I didn't please everyone, but as long as I pissed off more cops than convicts, I have no reason for regret.



# Marin Court Denies Close-A Petition

By Bill Torres

A Marin County judge's actions will deny family visiting rights for at least three San Quentin inmates.

Superior Court Judge Henry Broderick issued a notice of intention, May 11, to deny a Writ of Habeas Corpus petitioned by Richard Parento, Steve Higuere, and Richard Gurule. The petitioners are Close A custody prisoners, due to serious escape histories, according to the notice.

Close A custody prisoners are denied family visits, according to Broderick, as it is "necessary for the reasonable security of the institution." The privacy afforded during family visits, the prospect for undetected contraband, and the Close A prisoners' chance "to escape to freedom," were cited by the judge as reasons "to isolate such prisoners from op-

portunities naturally incident to the family visit."

The petitioners' application pointed out that there are family visiting quarters within the prison walls, beneath a gun tower, and inside a 12-foot fence topped with barbed wire. Prisoners are stripped and searched routinely after all visiting at San Quentin.

The judge's decision was made even after expert testimony by an Oklahoma ex-director of corrections to the effect that escape from the visiting facilities would be virtually impossible. The witness had personally inspected the facilities.

The petition will be submitted to the First Appellate District after it is officially denied by the Marin County court, according to attorney Mike Satris from the Prison Law Office.

# Father O'Neill To Be Temporarily Replaced

By Bill Torres

Fr. Bill Linakis will become SQ's new Catholic priest for the next year as Fr. John O'Neill takes temporary leave.

Padre Juan, as Fr. O'Neill is known to many Spanish-speaking friends, intends to improve himself in the ministry through studies of Tagalog (Filipino) and Italian and of sacred scripture. He has been a priest since 1967 and has served SQ since 1976.

Fr. Bill Linakis, 31, from Washington, D.C., has been a member of the American-founded Franciscan order of Atonement Friars. Father Bill, no stranger to penal service, did four summers at New York's infamous Rikers Island prison, he was a civilian observer at Massachusetts' Walpole prison and prior to his ministry, he served two years at a neighborhood center. Fr. Linakis is, like Fr. O'Neill, opposed to capital punishment on the basis that "killing is immoral, whether it is done by one individual or a government." He supports Fr. O'Neill's positive stand on human rights, dignity, and pride — especially for the "1,500 slammed in San Quentin's lockdown units."

Both agree that more significant, rewarding work and the responsibility of being more creative and productive is what is needed.

"Even a dog locked down for 22 hours a day turns mean," said Fr. O'Neill, adding that he's always been treated with respect and dignity by the prisoners. He added that making the furniture factory a "bonaroo job," getting more hobby, more educational programs, better work, and better pay would be steps in the right direction.

According to Fr. O'Neill, Sunday services only amount to about 1½ hours a week and that the bulk of the work consists of visiting, assisting and counseling as many of the lockdown prisoners as possible. Much help is received from the church outside, helping with family and friend contacts, after-service socials, hearing confessions, and setting up informational programs and church entertainment. These should continue without interruption.

Sunday, May 31, was Fr. O'Neill's last mass at SQ. The services, attended by about 80 inmates and by groups from The House and from the Christian Community of San Juan Church in San Francisco, were highlighted by the baptism of Manuel Adame. A lockdown of whites and Filipinos being in effect, there were none of the latter and only a few whites present. Prayers were offered for Scott Spaulding, Andres Valdes, and Joseph Hurtado, all of whom died recently in San Quentin.

Manuel Hernandez, Richard Whitcomb and Pete Hernandez, the chapel clerks, will help Father Bill during the transition. Manuel and Pete speak Spanish. Floral and musical support is provided by Chiti Miller and Bob Varicchio, respectively.

The Atonement Friars support ecumenical work which is Christian unity. Father Bill also promotes the doctrine of anonymous Christianity, or that one does not have to call oneself a Christian to be saved from evil; all that one needs to do is to advocate and try to lead a good life. That is the universal gospel which underlies the unity called religion, he said.

## Subscribers Gyped Again

The SQ News failed to publish a May 22 edition because of the usual state of confusion that accompanies a general lockdown.

## SanQuentinNews

USPS 480-700

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The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner ..... Warden  
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# Senate Plans To Warehouse Cons

By Steve Wiegand

Chronicle Correspondent

The state Senate approved a proposal May 21 that would increase prison terms sharply for criminals with a history of violence, despite a warning that the longer sentence would put a tremendous financial burden on California's prison system.

The Senate sent the measure by Senator John Doolittle, R-Sacramento, to the Assembly on a 27-to-5 vote.

Under current law, people convicted of most violent crimes have three years added to their sentence for each prison term they have served for violent crimes. Additional time can be added for multiple convictions.

Doolittle's bill would add five years for each previous conviction for a violent crime or 10 years for each previous prison term if the person has served two or more terms in the past 10 years.

Thus a person with two previous armed robbery convictions and two prison terms would have six years added to his sentence if convicted of another violent crime under current law, but would have 20 years added under Doolittle's measure.

"The purpose of this bill from my point of view is not so much to act as a deterrent," said Senator Marz Garcia, R-Menlo Park, "as it is to take dangerous people off the street and put them some place, and what happens to them there I could worry less about, as long as you get them off the street."

However, Senator Alfred Al-

quist, D-San Jose, said the plan was "totally irresponsible" because it did not take into account the effects longer sentences would have on prisons that are already crowded.

The Department of Corrections estimates that by 1985 the longer sentences could cost the state an additional \$4.8 million a year to house inmates.

Alquist told reporters after the vote that he dropped a plan to amend Doolittle's bill so that it could not take effect unless state voters approved a tax increase to build new jails and prisons because "I didn't have the votes."

Governor Brown is promoting a plan to raise the state sales tax by one-fourth a cent, with half of the revenues going to local law enforcement and the other half to build jails and prisons. If the tax increase is approved by the Legislature, voters would be asked to create a special fund for the money so that it could not be used for any other purpose.

Alquist said his inability to muster support to amend Doolittle's plan indicated that most senators were against a tax increase.

Another proposal to raise the sales tax to fight crime, by Senator Dan Boatwright, D-Concord, was defeated in the Senate Revenue and Taxation Committee on Wednesday. Boatwright said he would try to revive the plan again.

Brown's proposal, included in a bill by Assemblyman Terry Goggin, D-San Bernardino, is scheduled for its first hearing June 3.

# Texas Prison Moving Into Tents

HUNTSVILLE, Tex. (AP) — About 80 convicts at an overcrowded state prison were moved from their cells to Army tents pitched in the yards. A prison spokesman said the men "seemed to be pleased."

"It's a lot better than having three men to a cell," said spokesman Rick Hartley. "There have been no problems or complaints."

He said that in a few weeks about 1500 prisoners will be moved into the tents as part of a plan to comply with a court order by U.S. District Judge

William Wayne Justice, telling the prison to eliminate "triple celling" by Aug. 1.

Most of the cells in the prison's 16 all-male units have two bunks and 45 square feet of living space, and at present about 3,000 of them contain three men — with the third man sleeping on a mattress on the floor. The judge's order also called for putting no more than one man in the 45-square-foot cells after Aug. 1, 1983.

The temporary shelters are actually more wood than tent — with plywood walls and

# Letters

Dear Editor:

Thank you and your staff for a terrific newspaper! I look forward to receiving my paper each week and miss it when I don't find it in my mailbox.

I have appreciated your articles on the new judicial bills heard in Sacramento and I found your recent article about your library very enlightening.

Your style of writing is creative and I find the entire newspaper interesting and informative.

Sincerely,

— JoAnn Shoemaker

Dear Editor:

A note of thanks is in order to the MAC and to Deputy Warden Larson. I have been at San Quentin 14 years and last Tuesday night (May 26) was the first time I ever remember staff actually going out of their way to make circumstances easier, rather than more difficult.

I have been so conditioned to the negativity of this place, always expecting the worst, that I was actually shocked. I just couldn't believe this positive event was about to happen. But it did.

Because of the lockdown conditions,

the evening count was very late and, had the normal visiting hours been enforced, there would have been less than an hour of visiting time left. But due to the foresight of the MAC calling Deputy Warden Larson, they extended visiting time by almost two hours. A really unexpected treat.

Since I always complain when things go wrong, I figure that I should also applaud events that go right. My personal thanks go to the MAC for being concerned enough to allow the extra visiting time.

My wife and I really appreciated and enjoyed the extra visiting time together and I am sure all the other visitors did also. I hope that we will see more of this kind of cooperation and concern in the future. How refreshing it was to actually have someone give a damn. Thanks MAC! Thanks Mr. Larson!

— Dennis Stanworth B-5936

Dear Editor:

The Criminal Justice Committee has approved AB1210. It is the Prisoners Union sponsored bill that would give prisoners the right to be put in the prison closest to home upon request.

The next step is to get the bill through the Assembly Ways and Means Com-

## Prison Writers' Work Solicited

The William James Association's Prison Arts Project is now soliciting material for a second anthology of California prison writing to be published in July.

Both poetry and prose will be reviewed for inclusion in the anthology. Maximum prose length is 1,500 words. Deadline for submission is June 15. Contributors should enclose a self-addressed, stamped envelope if they want return of their material.

The nonprofit organization said that all contributors whose work is accepted for printing will receive a copy of the anthology. No payment is offered.

Interested prisoners should submit their work to the Prison Arts Project, William James Association, 105 Soquel Ave., Suite 10 B, Santa Cruz, CA 95060.

## Burke Seeks Info On Dads in Prison

I am researching for a story in which I hope to communicate the plight of the incarcerated father. One that would be based on the psychological effects, the loneliness, the wishing, the joys, the endless planning and dreaming of the future. I would like to relate our story, and I need the assistance of my readers — both within and outside the walls.

I'm asking that all interested parties send their stories, thoughts, ideas, complaints and dreams to me, Casey Burke, San Quentin News, Tamal, CA 94964.

## Literary Club Forming

A literary club and writers' workshop is being formed. All interested writers, poets, authors, song-writers and playwrights contact Michael, reference clerk, in the library at ext. 489.

## Hire an Ex-con

floors and pine rafters. The tents, which were borrowed from the Texas National Guard, serve as the roofs and can unroll to cover the shelters' screen windows during bad weather.

Shelters are being erected at three other compounds, and Hartley said they may be placed in other prison units as well. The temporary structures are being built inside the secured area of the prison units, with two 12-foot fences separating the tent-dwellers from the rural southeast Texas countryside. Extra wire was installed on the tops of the inside fences to discourage escape attempts.

mittee, who will be analyzing the cost and feasibility of the bill.

We would like to urge all cons and their families to write in support of this bill. The address is: Assembly Ways and Means Committee, State Capitol, Room 6024, Sacramento, CA 95814.

Rudy Babbino C-2279  
Gerhard Myskiw C-27361

Dear Editor:

We at CRC/Norco, have formed a Legal Advisory Committee and seek lines of communications with other groups with common interests in support of inmate rights, prison reform legislation, etc.

Being neophytes in this effort, any assistance from your readers concerning convict legal issues and related information will be helpful.

Juan Cathcart, C-28006  
Legal Advisory Committee  
P.O. Box 3535 (ERC)  
Norco, CA 91760



# Guard Charged in Smuggling; Warden Wants Guards Searched

By Jennifer Foote  
Examiner Staff Writer

Fearing that prison guards are smuggling weapons to inmates in maximum-security cells, San Quentin Warden George Sumner says he may establish a rule requiring officers to go through metal detectors before starting their shifts inside prison walls.

But the rule is likely to be challenged by guards' union representatives, who call the proposed policy "demeaning."

In addition, a spokesman for the state Department of Corrections has termed the policy "impractical" and suggested that Sumner's supervisors may overrule him if he tries to move too fast.

The warden's action was prompted by the arrest May 20 of guntower guard Atha Frazier, who is accused of carrying a loaded pistol and ammunition into the prison.

Prison officials expressed concern that prison personnel may have been the source of other weapons, such as the street-made knives and hacksaw blades discovered repeatedly in the Adjustment Center. Prisoners in that isolated unit are not allowed contact with visitors and are constantly searched.

Sumner said he is "painfully aware of the obvious conclusions being made by the public."

"If we go ahead with this, we will require all employees to go through a metal detector before starting work," Sumner said. The warden added that periodic searches also could be a part of the new rule.

Under current state prison regulations, a correctional officer cannot be searched without probable cause, and the guards are not required to check in at the prison's metal detector.

Frazier, 28, was searched after the guard who relieves her in the tower told the warden he had found the remnants of burned marijuana cigarettes in the tower.

Much to their surprise, the guards found a loaded .25-

caliber automatic pistol and a box of 50 rounds of ammunition in Frazier's purse.

A search of the Vacaville women's car also produced four partly burned marijuana cigarettes.

Frazier, who had worked at the prison just nine months, was arrested and charged with two felony counts of possessing drugs on state prison grounds and smuggling a firearm into a prison. She is being held in Marin County Jail in lieu of \$10,000 bail.

Despite expected opposition from the guards' union, some San Quentin guards interviewed shortly after Sumner's announcement said they viewed Frazier's arrest as a sign that searches are needed for their own protection.

"Listen, the last hacksaw blades we found in AC were not made in the institution and the knife used to stab a guard a couple months ago is most likely from the streets," said Lt. Billy Rohrer, who oversees the Adjustment Center and death row. "It makes you wonder — it's very possible the inmates are getting those weapons from staff."

"Now, nobody wants anybody to think they're bringing this stuff in, so the searches are OK with most of the staff."

After an Adjustment Center inmate stabbed guard Terry Riley with a street-made knife, more than 20 officers signed a petition asking for polygraph tests to prove they hadn't furnished the weapon that had seriously wounded their colleague.

"I'm all for it," Officer Jeff Briddle said of the proposed policy. "The way I look at it, I know I'm not bringing anything in and nobody can point the finger at me if I go through a detector."

But Jeff Thompson, executive director of the California Correctional Officers Association, contends that the policy is insulting.

"I cannot understand a routine checking of every officer," he said. "God knows morale is low enough already,

and to treat them like common inmates would be a big mistake."

Thompson, whose union is competing with two others for sole representation of prison guards, said the smuggling problem could be solved "by taking the preventative route."

The union official advocates more thorough psychological and background screening of prospective guards. Several officers agreed with him.

If the San Quentin warden goes through with the plan to search guards, the rule would have to be considered first by the state Department of Corrections and then reviewed at a quarterly meeting of all wardens in the state, said Phil Guthrie, Corrections Department spokesman.

Once the rule is approved by the state, employee groups representing the guards would be consulted. The whole process could take several months, Guthrie said.

"I think the rule might be considered very impractical, since the officers have a lot of metal equipment on them," Guthrie said. "It would increase the time it takes to get them from the gate to their posts."

But the state department is likely to give the proposal "serious consideration," Guthrie added, because Sumner "commands a lot of respect as the head of one of the major prisons."

"But if he invokes the rule right away, he will be subject to overruling by Sacramento," Guthrie warned.

## Documents Free For the Asking

The California Legislature has traditionally provided free copies of the Constitution of the United States, the California Constitution and other historical documents.

The 1981 issue with all the latest amendments is in print and the 246-page book will be sent free upon request to: James Driscoll, Chief Clerk, California State Assembly, Capitol Mall, Sacramento, CA 95814.

Hourigan said he turned the project over to a baseball coach who worked with a prison employee in designing the 85 feet long, 20 feet wide, and 14 feet high batting cage.

After the first day's work on the project last February, the warden said he drove by the school and was totally surprised when he realized the size the structure was going to be.

He said he then determined the cost of the materials, which included about 4,500 square feet of cyclone fencing, and gave a report on the project to Ruth Rushen, director of the Department of Corrections.

It was then arranged for Sumner to pay the \$4,100 cost out of his own pocket.

A spokesman for the warden's office said the prisoner in question was needed as a welder for the project, is not presently serving time for a sex offense. That charge, he said, was from a previous commitment.

The four-man convict work crew, accompanied by a job supervisor and a guard, apparently had no contact with students at the school and the project was completed without incident.

## Spear Used on Second AC Guard

A correctional officer working the adjustment center was reportedly stabbed by an inmate being removed from the shower area Sunday.

Information received from the staff suggests that the prisoner lunged at the officer with a spear-type weapon approximately 18 inches long with a 2½ inch steel tip.

The officer was struck in the right breast area, suffering a superficial wound. The thrust of the weapon was apparently deflected by the notebook in a shirt pocket.

After being treated at Marin General Hospital, the officer was released in satisfactory condition.

## CRIC Offers Prerelease Help

By Casey Burke

The Community Resource Information Center, located in the library, is primarily a referral service. CRIC assists outgoing inmates with information on employment, education and vocational programs, halfway houses and ex-offender programs in California.

The center is open seven days per week, 8 a.m.-2:30 p.m.

Contained in the CRIC collection of informative material are phone directories for all areas of California. Phone books for many major U.S. cities are on order. Also available are college catalogs for all of California's community colleges and four-year colleges.

These catalogs will provide an idea of what courses will best suite one's needs.

Need to know a zip code? CRIC has the National Directory of Zip Codes at your disposal.

Also on tap are survival sourcebooks. These are treasure houses of just about everything you need to know about living in the community, finances, employment services, education, legal assistance and benefits, plus family and health information.

Available to you upon request, are the Community Resource Directories for most counties in California. These directories contain all of the resources available in the county of your choice.

One important function of CRIC is to provide information and tools necessary for successful job hunting. Included in the pre-employment materials are guides to resume writing, interviewing techniques, encyclopedia of career and vocational guidance, U.S. Department of Labor Statistics and an occupation outlook handbook.

CRIC's most extensive collection of audiovisual material is in the areas of employment and pre-employment. Other equipment available for use of those inmates able to come into the CRIC includes a video player/recorder, a Dukane film strip viewer, a film projector, a 16mm movie projector, and a tape recorder.

CRIC maintains an extensive collection of material on educational and vocation programs, and catalogs for most universities, community colleges, and trade and vocational programs in California.

CRIC is attempting to get clearance into the lockdown units as they feel this is where the center's information can best be put to use for the betterment of the prisoners.

At the present time the procedure for inmates in the lockdown units to utilize

## Art Workshops in Personal Mythologies

There will be a series of art workshops in June given by Richard Kamler, a painter sculptor and environmental artist.

Participants will be doing art dealing with personal material to develop their own personal mythologies, using two- and three-dimensional media.

Workshops will be held Monday and Wednesday afternoons on June 1, 3, 8 and 10 from 1 to 3:30 p.m. Evening sessions will also be held on the same dates from 6:20 to 9:45 p.m.

To register for the workshops, send your name, number, housing and work assignment to Lynnelle at the education department. Participants will be educated.

## C Section Convict Stabbed Thru Neck

A C Section prisoner was found on the second tier landing during the morning unlock for exercise June 1.

Reports indicate that at approximately 9:12 a.m., staff found the prisoner on the ground with a prison-made knife sticking through his neck area. He was rushed to Neumiller Hospital and then, because of the seriousness of the injury, he was transferred to St. Francis' Hospital in San Francisco.

There are no staff witnesses to the assault, but it is not considered to be racially motivated.

At last report, the victim is still in serious condition. The knife was removed from the neck area after four hours of surgery. Permanent damage may include paralysis to the victim's left extremities.

## New TM Class Begins June 10

Anyone interested in signing up for an introductory lecture in the fundamentals of Transcendental Meditation should leave his name and number at the MAC office before 10 a.m. June 10.

## TM Expands Its Study Program

A certified course in the Science of Creative Intelligence and the Transcendental Meditation program will begin June 8.

The course will include a special structure class and will involve study in the following areas:

- Introduction to the science of creative intelligence.
- Creative intelligence and consciousness.
- Creative intelligence as the basis of all knowledge.
- Application of creative intelligence to individual life.
- A vision of possibility through the science of creative intelligence.
- A consideration of other systems.
- SCI and the solution to all problems.
- SCI and the fourth state of consciousness.
- SCI — the artist and the scientist.
- SCI and the fulfillment of life.

CRIC's resources is the same as is used for the law library. Send requests on the CRIC's information form or a plain piece of paper sent via institutional mail.

## Warden Under Fire From Guard's Union

By Jimmy Price

San Quentin Warden George Sumner came under heavy fire recently by the California Correctional Officers Association (CCOA) who charged the warden with undertaking an "improper personal project" at a local high school.

In the May issue of *The Granite*, a news publication of the Folsom Chapter of the CCOA, Sumner was accused of using prison funds to pay for the construction of a batting cage at San Rafael High School and that he exercised poor judgment in allowing a "violent sex offender" to work on the project.

The publication, which failed to give the name of the prisoner or the date of the incident, said that the Level III convict was temporarily reclassified from Medium AR to Minimum R ORWD custody in order to clear him for the work assignment. The article suggests, however, that no such classification exists in the manual.

The project was funded, it

said, "totally out of the San Quentin budget" and it "may have cost \$10,000."

According to information received from the warden's office, Sumner said he was not aware of what all the project would entail and thought the batting cage could be built from scrap material.

He said the actual cost of the project was \$4,100, which he ultimately paid for out of his own pocket.

Sumner explained that the prison has long contributed labor to local community projects and when the high school's athletic director, Don Hourigan, asked him to build the cage, he agreed.

A recent local newspaper article said that neither the warden nor the athletic director had ever seen a batting cage and had no idea of the costs involved.

"I had never seen a batting cage," said Sumner, "and I envisioned it as being something the size of a backstop which we could build with used materials."



# San Quentin News

THE PULSE OF SAN QUENTIN

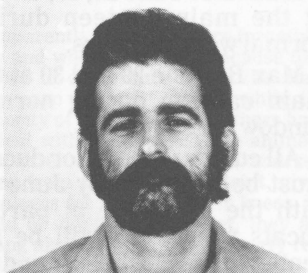
Vol. II, No. 21

TAMAL, CALIFORNIA 94964

Friday, June 12, 1981

## 'D' Section Con Dies by Hanging

A single-celled Donner Section prisoner was found hanging in his cell June 9, apparently the victim of suicide, according to Administrative Assistant John Campbell.



MICHAEL HALLER

Campbell said that a D Section officer making a 12:50 a.m. count discovered Michael Leroy Haller, 33, hanging by a strip of blanket from a conduit at the back of his cell.

The officer, he said, then called for assistance and Haller was cut down. Attempts to revive him failed. Haller was pronounced dead at 1:10 a.m. by a staff physician.

Haller was serving a six-year term for three Los Angeles County robbery convictions and was due to be paroled Oct. 23, 1983. He was received here Mar. 27 from CTF-Soledad.

## Jury Instructions Proven Too Vague

By Aaron Epstein  
Knight News Service  
WASHINGTON

Researchers have found that an average juror in a criminal case may understand only half of a judge's instructions, raising the possibility that the jury system leads to countless miscarriages of justice.

The researchers concluded that many judges' explanations of the law, as read to jurors before they deliberate on a defendant's guilt or innocence, are so long, complex, disorganized and legalistic that few jurors can understand them.

As a result, the study suggests, many "lawless verdicts" are reached by juries that do not understand what the law requires them to do.

In the study, financed by the federal government, a videotaped version of a Las Vegas attempted-murder trial was shown to 34 volunteer "jurors" in Lincoln, Neb.

Afterward, the chief researcher, Amiram Elwork, a psychology professor at Phil-

## New Property Regs Not Yet in Effect

Receiving and Release Sgt. Kennedy has asked the News to advise its readers — prisoners as well as outside family and friends — that the new property regulations published in the News will not be effective until November.

In particular, electric fans are not yet an approved item here at San Quentin and will not be allowed in until such time as institutional orders covering property are changed.

Kennedy reported that some fans have been received at R&R in packages due to a misunderstanding of the new regulations.

## Correction

In the May 15 issue of the SQ News an announcement printed concerning a Christian penpal ministry. The address given was Religious Bench, % Prison Weekly, Oakland, CA 94610. This address is incorrect.

The correct address is: Religious Bench, P.O. Box 10581, Oakland, CA 94610.

Should you be interested, requests for penfriends will be aired over the following radio stations each Sunday: KDIA Radio, 11:30 p.m.; KBLX 102.9 FM, 5:30; and KRE 1400AM, 6 a.m.

adelphia's Hahnemann Medical College, read the judge's actual instructions on reasonable doubt, element of crimes, insanity and other points of law to be applied to the facts of the case.

Only one of the "jurors" could explain the difference between attempted-murder and battery with a deadly weapon. The average rate of comprehension was 51%, the study showed.

The instructions then were rewritten in simpler English for another set of volunteers and comprehension rose to 66%. A second rewrite job brought the comprehension rate up to 80%.

In a book to be published this summer, Elwork and his co-authors — Bruce Dennis Sales, of the University of Nebraska, and James J. Alfani, of the American Judicature Society — have compiled a detailed manual on how to rewrite jury instructions in understandable English.

Continued on page 4

## Young Lifer Found Dead in East Block

The death of a young east block prisoner June 7 has prompted an investigation by the Marin County Coroner's Office and the State Attorney General's Investigation Unit here.

Gilbert M. Quiddam, 19, was found in his cell with a pillow over his face by an east block yardside officer conducting the 4:05 p.m. count, according to prison spokesman John Campbell.



GILBERT QUIDDAM

Campbell said that when the officer's attempts to rouse Quiddam failed, the block sergeant was notified and medical assistance was called.

Quiddam, he said, was found to have bruises on his face and an electrical cord around his neck. The man apparently died of strangulation, he said, though there were no signs of a struggle.

Campbell reported there are no suspects at the present time and no motive is known. Quiddam had no cellmate. The east block was placed on lockdown status pending further investigation.

Quiddam was serving a 25-to-life sentence for a first-degree murder conviction out of San Diego county. He was received here Mar. 19 and placed on close-custody status.

## MAC Clarifies New Property Proposal

Due to some negative feedback from prisoners as to the MAC response to the new property revisions printed in last week's edition of the news, Russell Wise, special advisor to the MAC, asked that the following clarification be published.

It has come to the attention of the MAC that the men living in housing units besides west block feel that the MAC has not represented them in the new property proposal.

This is untrue to say the least. What is happening is that the MAC was looking down the line when this property proposal would take effect.

There will be a much better clarification on the property proposals next week. We will be better able to say what effects will be felt in the lockdown units and east block.

So bear with us one more week and you will see what is going on concerning this matter.

The MAC realizes that a man housed in west block could be moved to east block or a lockdown unit, thus having to abide by the rules therein — for we are all men behind the walls of this prison.

## The Rating System

Total Point Score

Rating Level

19 and below	Level I
20 to 29	Level II
30 to 49	Level III
50 and above	Level IV

### Level I Institutions

California Institution for Men (Main), Chino  
California Training Facility (South), Soledad  
California Correctional Institution (Min.), Tehachapi  
California Men's Colony (Cuesta), San Luis Obispo  
Sierra Conservation Center (0-24 points), Jamestown

### Level II Institutions

California Conservation Center, Susanville  
California Correctional Institution (Med.), Tehachapi  
California Rehabilitation Center, Norco  
Sierra Conservation Center (workcrew), Jamestown  
California Institution for Men (RCC workcrew), Chino

### Level III Institutions

Deuel Vocational Institution, Tracy  
California Men's Colony, San Luis Obispo  
Correctional Training Facility (North), Soledad  
Correctional Training Facility (Central), Soledad  
California Medical Facility, Vacaville

### Level IV Institutions

California State Prison, San Quentin  
California State Prison, Folsom

## Computer Classification

## Bureaucratic Efficiency Is the Primary Concern

By Jimmy Price

In April 1981 the California Department of Corrections (CDC) began implementing its controversial new standardized classification scoring system.

The computerized system, said CDC spokesman Phil Guthrie, was devised under political pressure as a means of determining future prison construction needs.

By design, the new plan would eliminate arbitrary rulings made by classification committees and provide a uniform rating system whereby each of the department's 23,000 male prisoners would be placed in an institution appropriate to his classification level.

According to Arnie Gerritsen, assistant classification and parole representative here at San Quentin, the system operates as follows:

Each prisoner is initially classified by means of a scoring system. Various points are scored for such factors as sentence length, age, education, work record, military service, escape history, holds, prior commitments, and unfavorable behavior.

Other points are then subtracted for such aspects of favorable behavior as completing a period of time in minimum custody, remaining disciplinary free and maintaining an above average work or educational program. Periodic reviews are held so that as time goes on, each prisoner's score will generally decline.

Initial scores and subsequent changes are reported to CDC Central Office and institutional assignments are controlled by computer.

Continued on page 4

## Prison Terms for Quentin Ex-Guards

Lance Cotton, former San Quentin guard, was sentenced to four years in prison June 5 for his conviction on a charge of trying to rob an undercover agent of drugs and money in a Mill Valley motel.

Cotton, a giant 35-year-old former professional football player, had been a guard at San Quentin for six years until his arrest.

Another guard, Timothy Hiemstra, 22, was also arrested during the guards' armed "raid" on the motel. He pleaded guilty in April and was sentenced to six years in prison.

## Prison Writers' Work Solicited

The William James Association's Prison Arts Project is now soliciting material for a second anthology of California prison writing to be published in July.

Both poetry and prose will be reviewed for inclusion in the anthology. Maximum prose length is 1,500 words. Deadline for submission is June 15. Contributors should enclose a self-addressed, stamped envelope if they want return of their material.

Interested prisoners should submit their work to the Prison Arts Project, William James Association, 105 Soquel Ave., Suite 10 B, Santa Cruz, CA.

## California's Reasonable Doubt Instruction

"A defendant in a criminal action is presumed to be innocent until the contrary is proved, and in case of a reasonable doubt whether his guilt is satisfactorily shown, he is entitled to an acquittal. This presumption places upon the State the burden of proving him guilty beyond a reasonable doubt. Reasonable doubt is defined as follows: It is not a mere possible doubt; because anything relating to human affairs, and depending on moral evidence, is open to some possible or imaginary doubt. It is that state of the case which, after consideration of all the evidence, leaves the minds of the jury in that condition that they cannot say they feel an abiding conviction, to a moral certainty, of the truth of the charge."

### WEEKEND MOVIE

## 'Private Benjamin'

Goldie Hawn stars as a pampered "Jewish Princess" who, following a disastrous six-hour marriage, joins the Army for what she thinks is three years of swimming, tennis, boating, and supervised weight loss. Also stars Eileen Brennan and Harry Dean Stanton. Rated R.

### MEXICAN MOVIE

## 'Flor de la Mafia'

No story information.



# Vocational Welding Program; Meeting Today's Job Market

By Casey Burke

The vocational welding program teaches prisoners transferrable skills to enable them to secure high-paying, respectable jobs upon their release. Floyd Tibbets, instructor of the welding program, teaches all phases of up-to-date welding procedures. Heavy emphasis is placed on keeping up with modern-day welding techniques to give the graduate a superior edge in today's job market.

The sign-up procedure for the welding program is handled in the education building.

The program has a maximum membership of 15 students and, like all other vocational trades, maintains an ethnic balance. There is a waiting period to get into the class, depending on space available. More information benefitting your own personal needs may be obtained at the education office.

There are two pay numbers available in the welding program. Instructor Tibbets informed the News that there are plans to allow for several other pay positions within the program in the near future.

The length of the course is 3,000 hours. This time period may differ with each individual student and how quickly he picks up the principles and fundamentals of the trade. Tibbets encourages a student to be inventive and also to specialize in a specific field of welding. Specialized instruction may require further class time.

Upon entering the welding program, the student will undergo an orientation and safety instruction period. During this time the student and the instructor can decide if this is really what the student wants.

The first course of study is oxyacetylene welding and cutting. In this segment of the program, the student will learn

everything from set-up and take-down to piercing a hole in a steel plate and machine cutting.

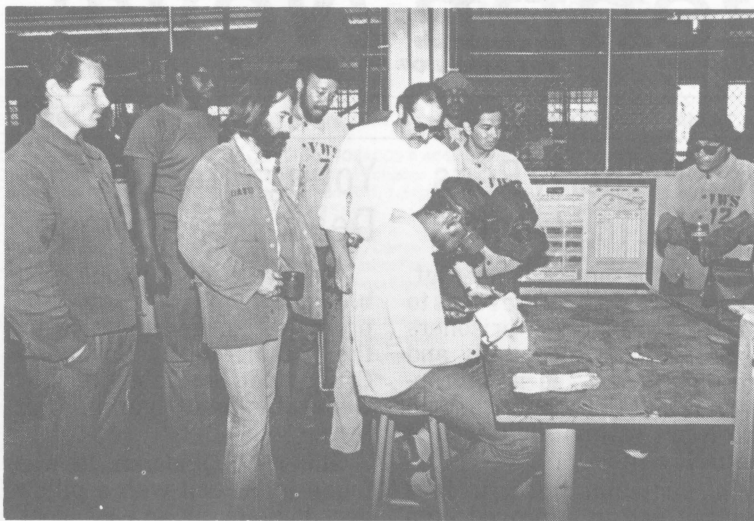
When this part of the program is completed, the welding student will master the shield metal arc welding, also known as stick welding. Then he will move on to conquer the inert gas metal arc welding, or MIG welding.

The last welding phase of the instruction is the TIG welding. TIG stands for tungsten inert gas welding. This teaching specializes in the welding of stainless steel and aluminum and is a high-paying specialty field on the streets.

Felipe Ramirez, 23, who has been in the program approximately one year, states, "This is one of the best programs offered at SQ. I've been down since I was 18 years old, and vocational welding has given me a feeling of respect and independence for the first time in my life."

The welding shop itself is an up-to-date as any shop on the outside, said Tibbets. The students are taught to be proficient with every type of welding equipment currently being used in the free world. Two days per week, the students have classroom instruction on blueprint reading and shop math.

Vocational welding leadman Tony "Smitty" Schmidt gave the following observation to all prospective students, "This



SQ WELDING CLASS watching a demonstration of a specific welding technique.

program teaches a man everything he needs to know in order to become a master welder on the streets. There's nothing stopping that person from achieving that goal, other than himself."

Instructor Tibbets said his students are involved with a vast array of projects throughout the institution. The most significant of these projects, according to Tibbets, is the conversion of the classroom on the bottom floor of the education building into a classroom specifically for close-custody prisoners. The classroom is being created with the combined efforts of Mr. Braff, plumbing instructor, and Mr. Tibbets.

Other welding projects include the making of weightlifting benches for the various lockdown units. This project idea was brought to the attention of the welding shop by Walter Speights, president of the MAC, and was coordinated by R. Scott, senior welding class member. Scott applied his four years of welding skills into designing these special-

ized, safety-oriented weight benches.

Scott told the News, "Every time I do a project, I learn something new. I encourage all interested parties to check out vocational welding if they're looking for a universal trade."

The student's talents have also been applied to such institutional projects as making steam tables for the diet kitchens, oven racks for the main kitchen, a bucket for the Department of Corrections' backhoe, alteration on stainless steel toilets, installation of new window screens for both the education office and the psychiatric ward of the hospital, plus innumerable small repairs throughout the institution.

Tibbets pointed out that these projects utilizing student's skills lessens the burdens for California's taxpayers.

Tibbets said that he "is working on getting a certification program for graduating students, to better equip them in today's specialized job market." He then went on to state

## Annual Canteen Ducat Exchange

Starting June 25 the annual exchange of canteen ducats will commence. Only whole ducats in \$1 amounts which are not defaced or mutilated will be accepted. Ducats that are taped together will not be accepted.

The schedule for exchange is as follows:

West block: Thursday evening, June 25, from 5:30 to 8:30 at the west block canteen.

SHU, ranch and hospital: June 26, 27, and 28 at the main canteen during normal working hours.

Mainline: June 26, 27, and 28 at the main canteen during normal working hours.

Max B: June 29 and 30 at the main canteen during normal window schedule.

All current blue-color ducats must be turned in by June 30, with the exception of partial ducats which will still be accepted at the west block and industries canteens up to and including July 3.

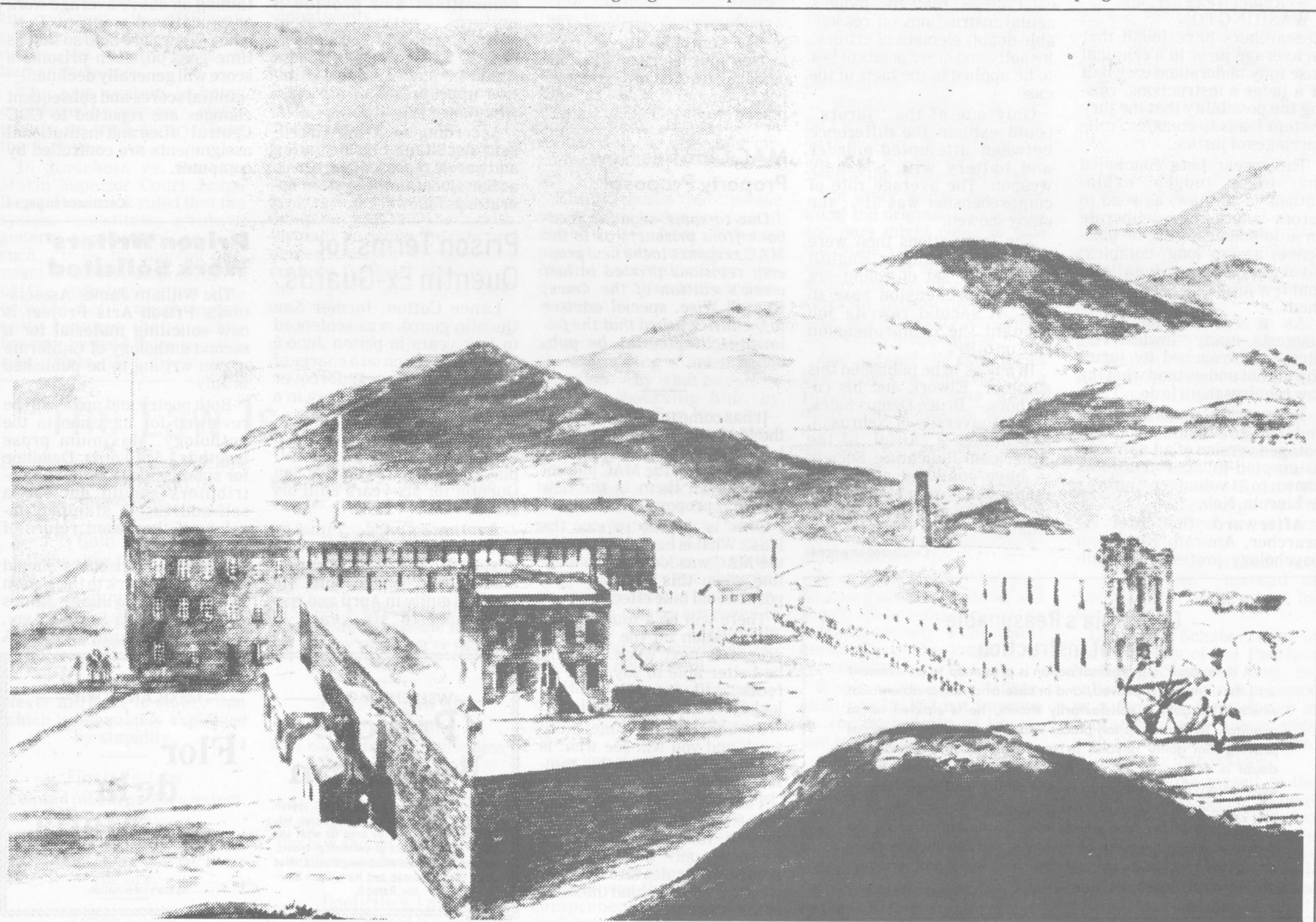
### POPULATION

**3,002**

Thursday, June 11

that he has sent out letters of inquiry to various welding shops, construction businesses, and ship building firms, asking if they would hire graduating students from SQ's welding program. His letters have been met with a 100% favorable response, he said.

So, if you're interested in becoming a welder, trip on over to the education office and sign up. Tibbets said he would like to see more of the younger men who have considerable amounts of time take advantage of the vocational welding program.



San Quentin, circa 1861 — On the right is the old hospital, which still stands.



# Letters

Dear Editor:

When I lived in north block I often thought I heard the sound of old women crying. I knew this was impossible, however, upon being placed in administration segregation Donner Section, where I heard them crying even louder than before!

I asked around, thinking maybe the PC's in Badger Section had lost some of their privileges. Not so. Much to my surprise, it turned out to be the west block — sobbing and wailing away like old ladies!

After reading “MAC To Challenge Property Regulations” (SQ News, June 5), I decided to do some challenging of my own.

As a member of the silent majority here in SQ, I can't help but express my anger towards the crybabies of west block.

Apparently these folks are forgetting who and where they are. Because they choose to compromise with the Man, they earn “honor” status, while the majority of their convict brothers have to deal with being caged like animals. Now after they are isolated and secluded from the rest of the joint, given privileges for living on their knees, instead of dying on their feet, they are crying about a new set of property regulations!

There is no honor or privilege to being in the pen. Wake up west block, you are in prison! You are here for the same 211s, 187s, and such as the rest of us. Because you bow down before the Man, or happen to be real lucky in getting around the Man, you have escaped these lockup units. To think of yourselves as an elite minority, deserving of “honors” and “privileges” the rest of us don't have is bad enough, but to use the MAC to try and wheedle some more out of the Man is too much.

What happened to honor among thieves? With their gun-free block, their own yard, chowhall, canteen, and untold other privileges, why do the rest of us have to read about their crying in our paper?

Are we to understand that the MAC is going to take time off from their busy schedule of awards for bullshit achievements, banquets to congratulate the Man on a job well done, to take a stand for the privileged few on some lousy property regulations? Does this mean that they will be too busy to get the warden a new jacket for at least a couple more months?

Honor block, indeed. The real honor belongs to our convict brothers in AC, C Section, north block, and Ad. Seg. They at least show heart enough to take the worst there is to offer here and stand up to it. They don't bow and scrape to the Man for a few privileges. They know where they are and who holds them here. They sit in concrete rooms to tell their loved ones how some note-dropping rat has had them locked up. Or that the Man tried to back them down and they fired him up instead of peeing.

Where is the MAC when a guy goes to Ad. Seg. for two, three, or even six months with no property but the clothes on his back? Drinking stale coffee out of milk cartons because there are no cups. And here you are just accused — not necessarily guilty — and the MAC can't be bothered!

When 1,700 of us are slammed, the residents of west block are busy trying to manipulate more privileges through the MAC. They'll do it too, but the rest of us don't have to read about it in our paper!

Israel has the wailing wall, and SQ has the wailing block! We're all here together, but until the MAC gives representation to us all, I'll still consider them to be on the Man's side. And the News is our paper, but until they leave off publishing crybaby politics from west block, I'll know whose side they're on.

— R. E. Karr, Jr. B-73739 3D13  
— M. J. Fennimore C-8887 3D14

Editors Note — The SQ News article you refer to was, as pointed out therein, written by the MAC Executive Council and its two presidential advisors. The interests of these seven men do not necessarily reflect those of the west block population, nor do they speak for the SQ News staff. Our primary function is simply to present the news — not censor it. Readers are free to make up their own minds.

Dear Editor:

In response to the MAC's ignorance of the problems of representation for the men in San Quentin's lockdown units, it seems that they're now very concerned with the west block and Chapter 4600 (property regulations). The MAC had nothing to say about the 1,500 men in these units, the east block or A Section but were only concerned with Chapter 4600 and what it meant for the people in the west block — and to hell with the rest of the prison!

People say that Raymond Looney is good on criticism and short on facts. I

can only go by what I see and read, and I see nothing coming from the MAC office to benefit the bulk of the population.

Facts are facts, and the fact of the matter is that there is no MAC representation.

Can I be philosophical to the mind-boggling facts? I don't profess to hold all the knowledge to the problems, but the fact is that there has been no attempt to the importance of having some representation for the people in A Section, east block or the lockup units.

As you may or may not know, the Prison Law Office cannot solicit inmates, submit complaints or bring civil rights complaints into being until somebody first complains about such violations of the law. I first made a complaint last year, and the Prison Law Office has been trying to get response to the fact that we in the lockdowns have no representation.

The only people who can so state that there is no representation for the men of these units are the MAC. So on Apr. 10 in the Letters to the Editor column of the SQ News, I attempted to elicit a response from the MAC, but to no avail.

The Prison Law Office sent three letters to the MAC asking for a response to their two letter to MAC member Walter Speights. One letter, dated Nov. 21 was left unanswered. Yet another letter dated Jan. 7 was sent to MAC. Again Mr. Speights wasn't interested in the issue and did not respond.

How many more letters have been sent and gone unanswered, only God and the MAC can tell. I know from past observance, that if the MAC doesn't get recommendations they're asking for in the Chapter 4600 and west block, they will be asking for the help of the Prison Law Office, and will demand a response to their letters.

The only concerns of the MAC is what is good for the MAC and the west block and to hell with the rest of the joint.

If Frank Smith's profile of convict representation really wants to do something for his fellow convicts, then Smitty can find a copy of the Apr. 10 SQ News and respond to the letter to me from the Prison Law Office explaining that there is no representation for the 1,500 or more men in the respective holes of SQ. Maybe you can work with the Prison Law Office and help us obtain our just representation once and for all.

If left to the MAC and Walter Speights, we would get nothing. He operates like a well oiled machine. He's coming out of this saying again: We don't play by the rules — even if you win, you lose.

—Raymond Looney 3-AC-10

Dear Editor:

As everybody is now aware, there are two groups of whites in San Quentin today: white-whites and biker-and-their-affiliates-whites. What I am trying to point out is, the next time one of those white-whites are suspected of involvement in any incident, go ahead lock them down, but remember — logically it would follow that there would be no reason to lock up the bikers-and-their-affiliates-whites because they are a separate and isolated group of whites. This reasoning follows the lockdown behind the killing in west block and seems to be the current thinking of the administration.

—Leeper C-07051

Dear Editor:

Existing statutes provide unemployment and disability compensation for former inmates of state prisons and institutions, but Senator Ed Davis recently introduced Senate Bills 565 and 566 which would repeal them.

Hearings were held in April. It appears the bills had a good chance of getting support. With all the recent get-tough-on-criminals publicity, why give money to the enemy?

The bills, however, ran into some tough opposition. They overlooked the possibility that the financial relief given under existing statutes may be the strongest deterrent to crime available at this time. Perhaps the senator's wise colleagues had the foresight to place themselves in the ex-con's shoes, with no clothes, no place to stay, no food, no job, no car to look for work in. You get \$200, but they might as well take that also.

Senator Davis had dropped the bills and no further hearings are scheduled for them.

—Jerry Mitchell C-25565

Dear Editor:

I know it's not any of the cons here or the SQ News, but I'm getting tired of hearing this “new breed” shit.

It may sound good on the six o'clock news, but it's not fooling or impressing me. So what? It seems I've somehow become a member of this “new breed.”

Why doesn't the administration get down to reality and forget all the weak clean-ups. They know damn well they have an overcrowded prison on their hands, and no one likes it. I won't even bother mentioning the fact it's being run by an understaffed, generally unprofessional guardline.

Since Warden Sumner has been quoted on this “new breed” crap a couple of times, why doesn't he do an article on exactly what the so-called “new breed” is? That would prove interesting.

—Donald Johnson B-95524

Dear Editor:

It might interest you to know that trying to enter the World of Poetry contest from here is a waste of time and expense. I tried myself the last time it ran. After I did all the work and sent for information, the accounting office here would not release the \$5 handling fee from my account. I was told I can only send money to someone in my family.

—Gregory B. Larue

## Student Graduation Exercises Tonight

Graduation exercises for San Quentin students will take place at 6:20 p.m. today in the prison visiting room, according to an education department clerk.

The presentations this year will include two fifth grade, three eighth grade and 37 high school diplomas, as well as 12 Associate of Arts degrees. Eighty-three GED Certificates of Equivalency will be awarded.

In the area of vocational training, three Certificates of Completion and 37 Certificates of Achievement will also be presented.

Literacy Certificate of Educational Achievement — Granado Bowman, Billy Gene Crow, Warren E. Washington.

Elementary Certificate of Educational Achievement — Fred Lee Baker, Andre Bradford, Walter Walker.

High School Graduates — Tomas Avila, Michael Berni, Thomas E. Braun, Clarence Briggs, Jake Burkhalter, Christopher Castellanos, Terrence S. Charles, Calvin L. Collins, Robert Culton, Cecil Davis, Frederick Davis, Vincent Espinoza, Glen R. Filkins, Rudolph Fisher, Ed A. Garcia, Earl W. Hamilton, Clarence L. Hill, Craig R. Johnson, Mario M. Lara, James W. Matthews, Glen O'Connor;

William M. O'Roark, Melvin Oldham, Lorenzo Perez, Anthony Ramirez, Dennis T. Reynolds, Tomas G. Rodriguez, Ruben O. Sena, Ruben C. Sesma, Brian J. Shipp, Robert C. Simmons, Rickey J. Shotlow, John W. Sigler, Edwin C. Smith, Gilbert G. Trejo, Tommy Tucker, Ernest B. Tymn, Milo Valdivia, Gregory R. White, Charles H. Williams, Edward Woods, Jr., Edward Wright.

Associate of Arts Degrees — William Fields, Reginald Hardy, James Harty, Daniel Kelley, Ronald King, Robert Leeper, Theodore Marshall, Will McCain, Gabriel Perez, De Audry Roque-more, Clifford Terrell, Mark Vargas.

G.E.D. Certificates of Equivalency — Joseph G. Alcalá, Ray H. Alden, Jose L. Alfaro, Lee O. Bailey, Ernest M. Barela, Kevin A. Basden, Michael D. Berni, Stephen A. Bevan, Gary K. Birchard, Johnny Blair, Thomas E. Braun, Cecil M. Brown, Jr., Roger A. Brown, Jake Burkhalter, Frank W. Caldwell, George C. Camarena, Terrence S. Charles, Kenneth L. Chattman, Tomas V. Chavez, Calvin Collins, Robert L. Cul-ton, Cecil Davis, Jon R. Deputy, Sammy S. Dominguez, Samuel Drake, Robert E. Erbe, Vincent B. Espinoza, Gavin R. Field, Rudolph S. Fisher, Richard L. Fishman;

Louie C. Fusco, Gregory Gadlin, Arturo H. Gallegos, Ed A. Garcia, Robert J. Gildea, Joseph Gonzales, Roger A. Grant, Jose M. Guzman, Jr., Earl W. Hamilton, Paul L. Hensley, Peter Hernandez, Jr., Clarence La Von Hill, Grady M. Jackson, Craig R. Johnson, Carzie C. Jones, Steve L. La Dara, Mario M. Lara, Angel Ledesma, Jr., Armando Lopez, Jack McNertney, Tony Mejia, Alexander Mezhibein, Randy R. Moreno, Dennis L. Morris, Glenn E. O'Connor, Melvin Oldham, Ricardo Pereles, Lorenzo O. Perez, Thomas L. Phillips, Junious L. Poole, Dennis W. Pratt;

Raymond W. Ramos, Arnold T. Reis, Dennis Reynolds, Henry R. Rodriguez, Jesus A. Rodriguez, Oscar A. Rodriguez, Raul Rodriguez, Rod M. Rodriguez, Freddie A. Rosales, Ernest J. Rosalez, George P. Ross, Ruben O. Sena, Ruben C. Sesma, Brian J. Shipp, Andre D. Simmons, Robert C. Slama, Ernie K. Smith, Gilbert G. Trejo, Robert L. Tyson, Milo G. Valdivia, McNeal Vaughn, Jr., Walter Walker, James K. Watson, Timothy L. White, Charles H. Williams, John H. Williams, Carl G. Wilson, Edward Woods, Jr., Calvin H. Wynn, Carlos A. Zuniga.

Certificates of Vocational Completion — Baking: Charles E. Snow; Dry Cleaning: George E. White; Compositing: Dale L. Clark.



PARABOLIC CONCENTRATING COOKER concentrating on cooking.

## Solar Hotplate Built By Sheetmetal Student

By Jimmy Price

The first of several new solar energy projects was unveiled at the vocational sheetmetal shop this week as a result of the continued interest of students in this field of the future.

Sheetmetal apprentice Kevin Harrington, 20, who was accepted into the trade less than two months ago, proudly displayed his recently constructed solar hotplate, an impressive-looking appliance that he says provides cooking temperatures of 300° F.

The spaceage hotplate is constructed of a sheetmetal



KEVIN HARRINGTON displaying his solar hotplate.

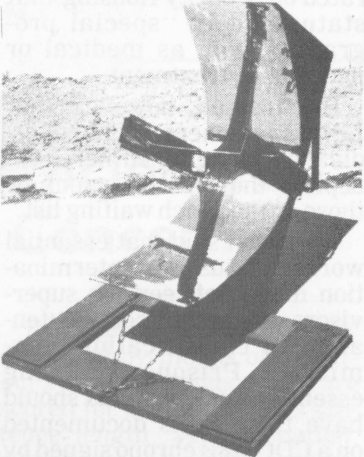
housing that features a parabolic collector made of flexible mylar, which directs and concentrates the sun's rays at a focal point about 10 inches above mid-center.

Simply face the adjustable hotplate into the sun, lay a nice thick steak on top of the extended cooking platform and watch it sizzle.

Harrington said he modified the plans for his hotplate from a textbook and built it under the guidance of Larry Whiteman, vocational sheetmetal instructor.

Whiteman, who shares his student's enthusiasm, said that the solar energy field goes hand-in-hand with the sheet-metal trade and he feels his students have the opportunity to walk out of here into a well-paying future.

“The housing for these units are easily fabricated by skilled sheetmetal workers,” said the instructor. “All they need to



SOLAR HOTDOG COOKER

learn is the fundamentals of solar power.”

Two more projects planned by the students are a parabolic concentrating cooker and a hot-dog cooker.

At present, Whiteman has seven students working in the sheetmetal shop and another nine close-custody students who are not yet allowed into the maintenance-vocational buildings.

Whiteman meets with his close-custody students on Tuesday afternoons and on Thursday mornings in the education building where he said he teaches layout work on paper.

“There really isn't much lost in these classes,” said Whiteman. “Learning the basic lay-out fundamentals is the hard part. Once the close-custody student gets his custody reduction, he can transfer over to the shop and already have the mental skills to begin work.”

Whiteman commented that there are openings available in both the sheetmetal shop and in the close-custody classes. Anyone interested should call him at ext. 329 or contact Ernie Bradford, supervisor of vocational education, in the education office.

## SanQuentinNews

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

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G. W. Sumner ..... Warden  
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# Computer Classification . . .

Continued from page 1

On the basis of a prisoner's score he is assigned a rating level from one (low score) to four (high score). Each institution is also given a security level rating from one (minimum security) to four (maximum security). The idea here is to match Level I prisoners to Level I institutions, Level II prisoners to Level II institutions, and so on.

The are exceptions to the rule.

San Quentin is one of two Level IV institutions. Gerritsen said that prisoners here are essentially Level IV, but that the prison is allowed a small quota of Level II and III prisoners to be retained as "essential workers." He declined to say just what these quotas were set at, explaining that he expects them to fluctuate. Gerritsen said that some Level III prisoners are also being rated on Security Housing Unit status and in "special programs" such as medical or psychiatric treatment.

He stressed, however, that Level I prisoners would not ordinarily be retained here, excepting those at the ranch or those on the ranch waiting list.

Gerritsen said that essential worker status is a determination made between job supervisors, the assignment lieutenant and classification committees. Prisoners seeking essential worker status should have their skills documented on a CDC 128B chrono signed by their work supervisors.

The ultimate use of a computerized classification system was inevitable, said Gerritsen, who explained that efficiency is the objective of any bureaucracy.

"We're dealing with numbers," said Gerritsen. "I know the convicts don't like it, but the system is efficient, provides good control and it reduces the arbitrariness of human decisions."

The new system is being challenged by prisoners' rights groups as well as prisoners themselves.

In *Stoneham vs. Rushen*, Marin Superior Court Judge Henry Broderick ruled that the system "constitutes a rule of general application" and, as such, "must by adopted pursuant to the formal procedures of the Administration Procedures Act," which apparently requires that a public hearing be held prior to adoption. Thus, last December,

Broderick ordered a halt to transfers based solely on classification scores.

The CDC then scheduled a public hearing for Apr. 29. Broderick apparently allowed his to expire in March and transfers based on this criteria were once again resumed here.

A spokesman for Warden George Sumner's office said the warden is critical of the new system on the grounds that too many of the prison's older, more stable convicts have been forced to transfer, while there has been a rapid influx of younger, less stable convicts.

Referring to these younger men as a "new breed," the warden has warned of an increased potential for violence here.

Some prisoners also anticipate an increase in violence. As one con pointed out, where the CDC previously had a choice of institutions to separate prison gang members, there are now only two prisons in which to house all Level IV convicts. It is well known, he said, that many of these men cannot be housed together without conflicts arising.

Prisoners also charge that the new system fosters a breakdown in the family unit and severs family ties. Forced tranfers based on classification scores have already uprooted numerous men whose families settled in the local area. Some of these men have been transferred as far as several hundred miles away.

In addition, they claim the system disrupts educational and vocational pursuits and actually discourages any long-range program planning.

Overall, the prisoners complain that the system does not take into account personality differences or what the individual wants.

Writing for the Folsom Observer, Neil Sullivan said the computerized system reduces everyone to the "lowest common denominator: a set of numbers."

Oddly enough, the scoring system itself seems flawed. In the case of several long-term prisoners here, years of good behavior has left them with virtually no points, yet they are denied transfer to minimum custody facilities because of the length of time left on their sentences.

In response to this, Gerritsen admitted that "the system isn't perfect."

FOODSTUFFS			BEVERAGES CONT.			SUNDRIES CONT.			HAIR ACC. & CONDITIONERS CONT.		
A-1 Sauce	\$1.00		Tea Bags, 100	\$2.85		Paper, Bond 16 lb.	\$4.70		Combs, Regular	.45	
Bean Dip, Jalapenos	.60		Tea, Instant	.25		Paper, Bond 20 lb.	5.45		Comb, Natural Pick	1.00	
Beef Sticks	.30		V-8 Vegetable Juice	.35		Paper, Legal 26-line	.13	10 for	Combout	1.25	
Candy, Bags	.65					Paper, Legal 32-line	.16	10 for	Dixie Peach, lg.	1.15	
Candy Bars & Lifesavers	.25					Papermate Refill	.75		End Paper	.90	
Candy Bars, lg.	.85					Pen, Lindy, Ballpoint	.25		Hair Brush	1.40	
Cheese, Sliced	1.25					Pen, Papermate, Ballpoint	.85		Hair Food	1.85	
Cheese, Loaf, 2 lb.	3.85					Pencil	.10		Hair Glo	.95	
Cheetos	.85					Pencil, Mech	.90		Hair Oil Hqz	.65	
Chile Con Carne	.70					Plastic Containers, 4/set	2.20		Magnetic Hair Rolls, med. & lg.	.90	
Chile Peppers	1.05					Pocketbook & Magazines	75 to	3.90	Mustache Wax	1.05	
Chile Sauce	.85					Postcards, SQ (5-pict)	.90		Proline Combout	1.30	
Chunky Beef Soup	.70					Postcards, Standard	.10		Proline Cond.	1.10	
Cookies	1.15					Room Freshener	.80		Proline Cond., Gel	3.35	
Crackers, Graham	1.05					Scripto Lead	.45		Protein 29	1.35	
Crackers, Ritz	1.20					Shoe Polish, Blk. & Brn.	.50		Roller Pins	.35	
Crackers, Saltine	.85					Shower Slippers, sm., lg., x-lg.	.80		Ultra Sheen Kit	6.35	
Cupcakes & Fried Pies	.40					Spoons, Plastic	.05	2 for	Vitalis, Super Hold	2.30	
Dill Pickles	1.20					Stamps	.18		Wave Rods	1.20	
Donuts, Assorted	1.20					Sun Glasses	2.40				
Dry Cereal	.20					Sun Glasses, Clip-on	2.50				
Fritos	.70					Tablet, Colored	.95				
Funyuns	.70					Tablet, yellow, ruled	.75				
Honey Butter	.90					Tablet, white, ruled	.60				
Honey Natural	1.05					Toenail Clippers	.90				
Hot Sauce, Louisiana	.40					Tumblers	.80				
Ice Cream Novelties	.25					Tweezers	.55				
Ice Cream, Pint	.60					Watchband, Exp.	1.80				
Jalapenos Peppers	.60					Watchband, Nylon	1.35				
Jam	1.25					Watch, Pocket, Westclox	9.45				
Marshmallows	.60					Watch, Wrist, Timex	17.90				
Mayonnaise, Miracle Whip	.65										
Menudo Stew, 7 1/2 oz. can	.40										
Mustard	.70										
Onion Rings	.40										
Peanuts, Spanish, Salted	.45										
Peanut Butter	1.60										
Peacan Pies	.40										
Pico Pica Sauce	.55										
Popcorn	.20										
Potato Chips, Bar-B-Que & Plain	.70										
Pretzels	.75										
Rolls, Assorted	1.30										
Salami	1.15										
Sardines	.75										
Soup, Cup of	.15										
Sugar Cubes, 1 lb.	.80										
Top Ramen Soup	.35										
Tortillas, Floured	.90										
Tuna Fish	1.20										
BEVERAGES			SUNDRIES			TOILET ARTICLES			DENTAL SUPPLIES		
Breakfast Drink	1.45		Aerogrammes	.30		Afta Shave	1.50		Binaca Breath Drops	1.15	
Cocoa Mix, 1 1/4 lb. bag	2.60		Alarm Clock	7.30		Brush, Shaving	3.80		Cepacol Mouthwash	1.80	
Coffee, Hills Brothers, 2 oz.	.95		Album, Photo	2.45		Copper Tone Tan Lotion	1.30		Dental Floss	.70	
Coffee, MJB, 10 oz.	3.75		Album, Refills	.55		Cocoa Butter	1.55		Denture Brush	1.20	
Coffee, Tasters's Choice	3.75		Art Corners	.45		Chenti Panthenol Lotion	4.30		Efferdent Cleaner	1.80	
Dairy Creamer, Maxwell	.80		Bags, Zipper, Canvas	6.00		Colgate Rapid Shave	.90		Polident Cleanser	1.65	
Egg Nog, qt.	1.05		Batteries, AA (4)	.45		Intensive Care Baby Oil	1.20		Polidrip Adhesive	.85	
Kool-Aid, 2 qts.	.65		Batteries, C-size, D-size	.40		Jergens Direct Aid Lotion	1.15		Toothbrush	.30	
Lemonade, qt.	.45		Batteries, 9-volt	.60		Magic Shave	.65		Toothpaste, Colgate 7 oz.	1.45	
Milk, Chocolate, qt.	.75		Binder, 3-ring, 8 1/2 x 11	3.70		Mennen Cream, Brushless	.65		Toothpaste, Pepsodent, sm.	.30	
Milk, Fresh, qt.	.65		Binder paper, 3-hole	.80		Mennen Cream, Lather	.65		Toothpaste, Topol, 3 oz.	3.25	
Milk, Powdered	1.30		Can Openers	.40		Noxema Cream, Brushless	1.15		Toothpicks	.45	
Ovaltine	1.65		Christmas Cards, Box	1.69 to 3.29		Noxema Skin Cream	1.30		Toothpowder, Colgate	.90	
Soda Pop, Canned	.30		Christmas Cards	5.00		Pond's Milk Skin Care	1.20				
			Cards, Greetings	.25, .35 & .50		Powder, Casmere Bouquet	.80				
			Cards, Greetings	.15 to 2.50		Powder, Magic Shave	.70				
			Decanter, Plastic	1.85		Powder, Mennen, Bath	1.15				
			Dissolution, Regulatory	3.00		Powder, Mennen, Face	.60				
			Divorce, Summary	5.00		Razor, Double II	1.45				
			Envelopes, Blank	.02		Razor Blades, Double II	1.25				
			Envelopes, Color 24	.55		Styptic Pencil	.30				
			Envelopes, Expanding	1.60		Soap Dish	.50				
			Envelopes, Plain, Manila	.15		Washcloth, White	.40				
			Envelopes, Stamped	.20							
			Fingernail Clippers	.40							
			Ink, Refills, Shaeffer	.15							
			Handkerchiefs	.80							
			Padlock, Combination	3.30							
			Paper, Blue Bond 16 lb.	5.30							

The main canteen will accept whole \$1 ducats during the first week in months that have two dead weeks.

# Jury Instructions Too Vague . . .

Continued from page 1

For example, one common jury instruction says that a defendant's intention "may be ascertained or deduced from the facts and circumstances of the attempted killing, such as use of a weapon calculated to produce death, the manner of its use and the attendant circumstances characterizing the act."

Elwork recalls that "people would listen to that and look at us like we were from a different planet. They weren't sure about 'ascertained' or 'deduced' or 'attendant circumstances.'"

So he rewrote the instructions to list the three ways of determining a defendant's intention — by what he said or did, by observing him, by events proceeding his acts — and gave a concrete example of each.

"Our jury system is under increasing attack, partly by people who argue that juries are not competent to understand the law," Alfini said. "That may be true, given the instructions they get. But what we tried to show is that the instructions can be improved to the point where arguments against jury competence become less meaningful."

"Here is a great opportunity to make tremendous strides to improve the law and nobody is doing it."

Earlier studies by the same authors and by others have shown that cross-sections of communities similarly do not understand many instructions in noncriminal cases.

instructions at all.

Perhaps more disturbing, Elwork said, was what he and his colleagues discovered when they bugged and recorded the deliberations of more than 90 of the research "juries."

"What we found was that the jury instructions not only could have an effect on the verdict of the trial, but on how they arrived at the verdict," he said.

"In other words, the juries using the original instructions and ours might come in with the same verdicts. But there was a greater statistical probability that the juries using the original instructions would take into consideration things they weren't supposed to."

For instance, he said, juries that failed to understand a judge's instructions would often violate them by discussing insurance coverage in auto accident cases and punishment in criminal cases.

In determining the liability of a defendant in personal injury cases, jurors cannot consider how much insurance the defendant has.

In criminal cases, the jury decides guilt or innocence, and should not be influenced by the potential penalty. Punishment generally is the judge's responsibility.

What's more, a jury deliberation usually did not improve its comprehension of important legal principles.

Moreover, Elwork said, jurors were reluctant to "knock on the door or ring the bell" for outside help from the judge because "they're human beings and they didn't want to look stupid."

The \$228,000 study, financed by the U.S. Department of Justice and the National Institute of Mental Health, also concluded that men and women

had the same comprehension rates, that younger jurors had a much higher comprehension level than those over 60, and that jurors puzzled by instructions often compromise verdicts.

The researchers believe their work may encourage lawyers to appeal cases on rarely used grounds — that the verdicts were produced by juries ignorant of the relevant law.

What is needed now, they say, are committees of judges, lawyers and laymen in each state to overhaul traditional jury instructions.

Instructions should be written to "make it short and make it simple," said Samuel P. King, chief judge for U.S. District Court in Hawaii.

"I have always thought that jury instructions were written more for the eye of the appellate judges than for the ears of the jurors," added Robert F. Peckham, chief judge for the U.S. District Court in northern California.

Why not, he asked, say "carelessness" instead of "negligence" in personal injury cases?

Gordon D. Schaber, dean of the University of the Pacific's McGeorge School of Law, recalled from his own experience as a Superior Court judge in Sacramento why judges stick with the gobbledygook of traditional jury instructions:

"I was loathe myself on the bench to accept a decent statement of the law, written by a lawyer in a case, where there was a more complex, less intelligible instruction available that had already been approved by a number of appellate decisions. I wanted to be sure that the (jury) verdict wasn't reversed on appeal."

# The Law Is the Law

O'Reilly's Law of the Kitchen  
Cleanliness is next to impossible.

Gold's Law  
If the shoe fits, it's ugly.

Harrison's Postulate  
For every action, there is an equal and opposite criticism.

Hanlon's Razor  
Never attribute to malice that which is adequately explained by stupidity.

Finster's Law  
A closed mouth gathers no feet.

Oliver's Law of Location  
No matter where you go, there you are.

Lynch's Law  
When the going gets tough, everyone leaves.

Lieberman's Law  
Everybody lies, but it doesn't matter, since nobody listens.

Dennison's Law  
Virture is its own punishment.

Green's Law of Debate  
Anything is possible if you don't know what you're talking about.

Stewart's Law of Retro-action  
It is easier to get forgiveness than permission.

The Sausage Principle  
People who love sausages and the law should never watch either one being made.

Doolittle's Law  
It is written that if it is written it will be amended before you understand it.



## U.S. Supreme Court OKs Double Celling

By Jim Mann  
Los Angeles Times

In a landmark ruling curbing the ability of American prisoners to challenge overcrowded conditions, the Supreme Court held 8 to 1 June 15 that it is not unconstitutional for a state to confine two prisoners for long periods in a cell designed for a single inmate.

It was the justices first ruling ever on the extent to which the Eighth Amendment ban on "cruel and unusual punishment" applies to prison conditions for convicts. The decision, and some of the broad language used by the court, set standards that will affect many of the 8000 pending cases around the nation in which inmates have complained of poor conditions.

Overruling two lower federal courts, the justices decided that Ohio officials did not violate the Eighth Amendment by keeping 1400 inmates of the maximum-security Southern Ohio Correctional Facility doubled up in 63-square-foot cells.

"To the extent that such conditions are restrictive and even harsh, they are part of the penalty that criminal offenders

pay for their offenses against society," Justice Lewis F. Powell Jr. wrote for the court. "...The Constitution does not mandate comfortable prisons."

The ruling takes on particular significance because of the acute problems of overcrowding in state and local prisons across the United States.

Because of recent increases in criminal activity and longer jail terms imposed on those convicted of crimes, state and local prison populations have been steadily increasing. The number of inmates confined in those prisons is now approaching 300,000. At the same time, because of the effects of inflation, fiscal problems and resistance from taxpayers, state and local governments are finding it harder to come up

## CDC 106 Visiting Form Postponed

The new CDC-106 visiting forms procedure will be postponed due to problems incurred in the printing of the forms, according to S.P. Rawers, relief visiting lieutenant.

Information from other sources indicates that the original form proposed was not in compliance with the Right to Privacy Act, with respect to at least one question regarding the applicants' having been arrested.

The visiting staff, said Rawers, will continue to process new visitors at the east gate entrance or through the mail in the normal manner until further notice.

## SATE Metting To Honor 'Juneteenth'

The year's first semi-annual SATE meeting and the celebration of "Juneteenth," representing the end of chattel slavery, will be held in the north dining hall on June 20, from 9:30 a.m. to 2:30 p.m.

The program will be open to the mainline population and will feature several black dignitaries, individuals and organizations who have supported SATE, as well as performances by several outside entertainers.

## An Updated Look at SQ's Family Visiting Program

By Casey Burke

The family visiting program is designed to maintain family relations between inmates and their families. Inmates at every custody level except maximum A and close A may participate in the 43-hour visiting program.

Family visits are limited to immediate family members who are defined as the inmate's legal spouse, natural parents, adopted parents, stepparents, grandparents, brothers, sisters, both natural and step-children, and the children of the inmate's spouse. Aunts, uncles, cousins, nieces, nephews and in-laws are not recognized for family visiting

purposes. Also, common law marriages do not meet the criteria for participating in the program.

Further information concerning eligibility of prospective visitors may be found in the Institutional Procedural Manual, section 222, which is available to all inmates. Mainline inmates can find this manual in the law library. Lock-down inmates are advised by J. R. Depue, family visiting lieutenant, to ask the administrative staff of their respective units for their copy.

The family visiting coordinator, Karen Lee, conducts an open line at 9:30 a.m. every

other Monday at the MAC office. Lt. Depue instructs inmates wishing to take advantage of this service to turn in their ID cards to the Fourpost officer, and Lee will answer questions regarding family visiting. Questions will no longer be answered over the phone, he said. Depue stated that neither he nor the other members of the family visiting staff have anything to hide and are completely open to the inmate population and their inquiries.

In order to expedite the processing time of participating visitors at the east gate, the

Continued on page 4



FAMILY VISITING UNIT at its new location.

## MAC President's Comment On Property Revision Issue

In a recent article in the SQ News, description was made concerning the Men's Advisory Council's efforts to gain a hearing on the proposed revisions of Chapter 4600 (Inmate Property). The appeal was two-part with only the supplement being printed. The major proposal, which comprises both concerns (inmate and staff), was submitted to the deputy director, CDC Institutions Division in Sacramento.

It must be understood, first of all, that the council received the transmittal information the night prior to the deadline date which allowed for no in depth outline. It was and is our intention to have the Department of Corrections consider the inequity of their revision proposal and grant a hearing on that matter. Time did not permit the kind of intense review necessary to counter all aspects of this issue. It was primarily our motive to cite those issues of property that represented the most obvious disproportion to what the institution now allows.

Our objective is to be afforded a hearing here at San Quentin, with either the director, or deputy director so that we might be able to have them witness first hand the kind of insensitivity such a proposal revision represents — not only to the honor unit, but to the lock-up units in particular. This was, in our opinion, the best possible method available in consideration to the amount of time we were allotted to review and respond to the chapter revision.

In the event that such a hearing is granted, it remains our plan to have a representative from each sub-division of the prison available to stipulate their particular concerns in respect to the housing units they are assigned.

When the final decision is made regarding the property regulations, they will be made available to the population by this council.

W. L. Speights, President  
Men's Advisory Council

## New PLO Suit Cites Inhumane Conditions

By Bill Torres

A conference was held by the Prison Law Office (PLO) June 16 to brief the news media on an impending class action suit seeking relief from cruel and inhumane prison conditions here.

The suit, naming the governor of California and state corrections officials Howard Way, Ruth Rushen and George Sumner as defendants, is being filed on behalf of San Quentin prisoners and California taxpayers, according to Mike Satris, directing attorney for the law office.

Plaintiffs seek to end the substantial and irreparable harm inflicted upon the prisoners and the people because of defendant's failure to maintain conditions of confinement consistent with prevailing standards of human decency, the action alleges.

The complaint claims that the charges — inadequacy of cell space, double ceiling, lack of hot water in most cells, continuous exposure to the elements by disrepair of broken windows, an antiquated heating and ventilating system, poor lighting, fire and earthquake hazards, unsanitary shower and plumbing facilities, lack of privacy, poor food and food services, harsh and repressive security measures including frequent lockdowns, restrictive visiting facilities, insufficient work and educational programs, inadequate and untimely grievance procedures, badly trained and disgruntled staff members, a "pass" system that curtails the use of religious, legal, medical, and educational facilities, and an infestation by rats, cockroaches and vermin — are all factual allegations and causes for a frightening increase in the level of hostility and violence here.

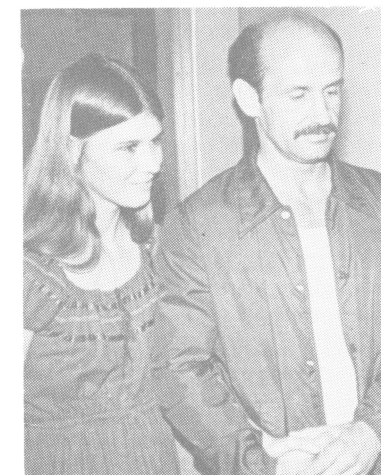
The suit also charges that prisoners are not kept in safe

custody, but are subjected to arbitrary and discriminatory treatment, violence by and against the staff is on the rise, prisoners and staff are experiencing severe frustration and tension, and that stabbings, assaults, and fights among prisoners are increasing.

A declaration and court prohibition of these conditions is sought by class representatives Don C. Wilson, Richard Parento and Ursula Gealey, on behalf of the class.

Satris stated that this suit goes beyond the recently decided, *Rhodes vs. Chapman* U.S. Supreme Court decision that double-celling in and of itself does not constitute cruel and unusual punishment.

The Prison Law Office is one of four law firms engaged in the matter. The suit will be filed in the Marin Superior Court.



KELLY AND VINCE SMITH  
Former Photographer Takes Wedding Vows

Vince Smith, former News photographer, has attempted to dispel the rumors about him and change his image by getting married — to a woman.

Vince and Kelly took their vows June 2 and were among the many couples joined in holy wedlock during the month of the brides.



## Law Column

### Lifers With Parole Dates Entitled to ISL Hearings

IN THE COURT OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT—DIVISION FOUR  
In re Larry James Henson, 1 Crim: 21581

In 1973 petitioner was convicted of first degree murder (Penal Code, § 187) and was sentenced to life imprisonment under the Indeterminate Sentencing Law (ISL) then in effect. Three years later, the Adult Authority published guidelines which contained suggested ranges for life terms and also articulate criteria for determining parole release dates.

On July 1, 1977, the Determinate Sentence Law (DSL) became effective. (Penal Code, § 1170.) Thirteen months later (July 31, 1978) new guidelines were promulgated, which, like the earlier ones, set forth dates for life prisoners. These new regulations give any life prisoner whose release date was established before July 1, 1977, (The effective date of DSL) a new hearing to fix his release date under the DSL guidelines. In what appears to have been an attempt to avoid ex post facto problems, the new rules give such prisoners the benefit of whichever determination provides the earlier release. (California Administration Code, tit. 15, § 2292, subd. c).<sup>1</sup> For example, if on June 1, 1977 a life prisoner received a parole release date of Jan. 1, 1985, he would be entitled to an additional hearing under the new rules, and, if as a result of that hearing a parole date of Jan. 1, 1984 was set, his release would occur on that day.

The focus of petitioner's equal protection challenge is section 2292<sup>2</sup> which provides that a life prisoner sentenced under ISL whose parole release date was not established before July 1, 1977, will have his date determined exclusively under the new DSL regulations. Petitioner falls within this group.

<sup>3</sup> Section 2292 classifies an identifiable group of individuals (life prisoners) into two smaller groupings: (1) those who had a parole release date established under earlier regulations and (2) those who did not. Those, like petitioner, who fall into the second category, have the determination of how long they stay in prison calculated under one set of rules. Those in the first group have the length of their confinement computed separately under each of two sets of rules and obtain the benefit of the shorter determination. To draw the picture more vividly, crime partners who are each sentenced to a life term on the same day for the same offense may under section 2292 be treated quite differently. One prisoner who by pure chance receives a hearing and a parole determination before July 1, 1977 is entitled not only to a second hearing before a board which will use a different set of criteria to decide how long he stays in prison, but he also receives the benefit of the earlier release date. The second criminal, like petitioner, must be content with the luck of his draw: one hearing, one set of rules and one date.

The members of petitioner's class have an interest in being free from incarceration as soon as possible. That interest, dubbed by Chief Justice Wright as a "personal liberty interest," has been determined by a unanimous Supreme Court to be "a fundamental interest, second only to life itself." (*People vs. Olivas* (1976) 17 Cal.3d 236, 245, 251.) Where a fundamental interest is involved both the California Supreme Court and the United States Supreme Court required the classification be subjected to strict scrutiny. (*People vs. Olivas, supra*, 17 Cal.3d at p. 243.) Under such review, "the burden shifts; thereafter the state must first establish that it has a compelling interest which justifies the law and then demonstrate that the distinctions drawn by the law are necessary to further that purpose. [Citations.]" (*Id.*, at p. 251; emphasis in original.)

The challenged release date setting scheme does not withstand a strict scrutiny review. The Attorney General has failed to show a state interest which compels the distinction drawn by section 2292. In response specific questions posed by this court the only interest suggested is administrative convenience. Eliminating the burden created by requiring two parole hearings for petitioner and the members of his class does not reach the dignity of a compelling state of interest particularly in light of the fact that the ISL life prisoners are presently afforded and receiving two such hearings.<sup>4</sup> Even if administrative convenience could measure up, the state has not met its "heavy burden" of proving its choice of July 1, 1977 as the cutoff date was necessary to promote that interest. (Cf., *Hawkins vs. Superior Court* (1978) 22 Cal.3d 584, 592.) In fact, the Attorney General has not made any suggestions in this regard.

The parole date setting scheme embraced in section 2292 results in a denial of equal protection under article 1, section 7 of the California Constitution and The Fourteenth Amendment of the United States Constitution to the extent that it denies life prisoners who did not have parole release dates established under the ISL guidelines prior to July 1, 1977, the benefit of a hearing under those regulations and a release on the earlier of the two dates.<sup>5</sup>

We direct the Board of Prison Terms: to afford petitioner: (1) a hearing under the ISL regulations and a determination thereunder of a parole release date, and (2) the earlier of the release dates set at this hearing and at the hearing held Jan. 10, 1979. To this extent only the petition for habeas corpus is granted.

<sup>1</sup> All section references are to title 15 of the California Administrative Code unless otherwise indicated.

<sup>2</sup> Section 2292 provides in pertinent part: "(a) General. All life prisoners heard after the effective date of these regulations shall be heard in accordance with this article. Prisoners who had a parole release date established under prior regulations shall retain that parole release date, as reduced by any appropriate post conviction credit under applicable rules. Such prisoners shall be released on the earlier of the two release dates. (b) No Parole Date Was Set Prior to July 1, 1977. The hearing

### New TM Program Cycle to Begin

By Russell Wise

Transcendental Meditation (TM) is a single, natural technique for allowing the mind and body to experience deep rest and rejuvenation. It is not a philosophy; it is not a religion. It is a practical method for any person to relieve stress and enjoy greater energy, intelligence and happiness.

TM requires no concentration or control. Instead, it is based on the natural tendency of the mind to seek fields of greater happiness. No effort is required, no change in beliefs or lifestyle. Yet the effects are profound!

Scientific reports, now numbering in the hundreds, have established without a doubt the psychophysiological reality of people's experiences of a higher state of consciousness. We are at the threshold of a new era for human society when science can document the growth of individuals attaining enlightenment.

It is our good fortune to have within San Quentin an active Transcendental Meditation Program, offering beginning and advanced instruction to all who wish to learn. For those who practice the TM technique, a certified course in the Science of Creative Intelligence has just begun. If you want to learn the practice of TM, here are the steps to take:

- The TM Program meets every Monday night at the 6:20 movement in the Jewish Chapel until 9:20.

- Introductory lecture, with film of Maharishi Mahesh Yogi, founder of TM and TM Sidhi Programs — a discussion of benefits in the practice of TM; personal experience, scientific variations.

- Second lecture, with film, discussion of benefits of TM and the mechanics of the technique.

- Preparatory lecture, with videotape by Maharishi, introducing the theory of consciousness and personal growth. Features a personal interview with a TM instructor.

- Personal, private instruction in the TM technique.

- Checking of experience in the meditation of the daily practice — to make sure everything is going well for you.

If you wish to sign up for the TM program, please leave name, number and cell number at the MAC office.

### WEEKEND MOVIE— Bad Timing A Sensual Obsession

Art Garfunkel and lovely Theresa Russell star in this disturbing, sometimes kinky, and depressing study of sexual obsession in which desire, mistrust, and jealousy cause the emotional destruction of a love affair. Also starring Harvey Keitel. Rated R.

panel shall deny parole or set a parole date as provided in §§ 2281-2290. (f) (c) Parole Date Was Set Prior to July 1, 1977. The hearing panel shall deny parole or set parole date as provided in §§ 2281-2290 as though no parole date had been set previously. If the parole date is earlier than a parole date set before the effective date of these regulations, the date set under these regulations is the controlling parole date. If the parole date is later than the previous date, the previous date is the controlling parole date."

<sup>3</sup> Petitioner received neither a hearing under ISL guidelines nor was a parole release date established for him before July 1, 1977. Instead, his first hearing was held Jan. 10, 1979: Using DSL standards, his net term of confinement was set at 15 years and ten months. We note that under ISL, petitioner's minimum eligible parole date (MEPD) was May 30, 1979. Penal Code section 3041 provides that life prisoners shall have their first parole consideration hearings one year prior to their MEPD. Thus petitioner should have had his parole hearing on May 30, 1978, before the DSL guidelines went into effect on July 31, 1978.

The delayed Jan. 10, 1979 hearing date did not alter petitioner's status, however, because the two hearing cutoff date is July 1, 1977. Hence, even if petitioner had received his parole hearing on time, his parole release date still would have been established after the July 1, 1977 cutoff date; thus he would only receive one hearing under DSL standards. (§ 2292, subd. (b).)

<sup>4</sup> Also, nonlife ISL prisoners receive two parole hearings, one under the ISL and one under the DSL guidelines, regardless of whether their parole release dates were established before or after July 1, 1977. The DSL guidelines provide that "(i) in addition to receiving a DSL release date, each person who is eligible for parole under the ISL earlier than the DSL release date will receive ISL hearings to consider a parole earlier than the DSL release date." (§ 2145.) "Actual release on parole shall occur on the ISL parole date . . . or the DSL release date. Whichever occurs first." (§ 2300.) Life prisoners deserve no less.

<sup>5</sup> In light of our holding it is unnecessary to address petitioner's ex post facto claim.

### TM May Host College Courses

The Transcendental Meditation program, with the help of Maharishi International University (MIU) in Iowa, is exploring the possibility of offering college courses here for academic credit, according to Russell Wise, resident coordinator for the program.

The course offerings, he said, would eventually lead to B.A. and M.A. degrees in such disciplines as business administration, psychology, education, literature, philosophy and art, and would be presented via television to the lockup units and in classrooms for the mainline population.

The university has an open acceptance policy, Wise reported, which means that courses may be taken for no credit, if that is desired by the student.

Anyone interested in participating in these courses should leave his name, number and housing at the MAC office or at the Catholic chapel.

### Student Assembly Program Cancelled Due to Lockdown

The student assembly program scheduled for June 8 was cancelled due to the east block lockdown, according to an education department clerk. The program, he said, would not be rescheduled.

### 18 Catholic Prisoners Receive Confirmation

By Bill Torres

Seven lockdown prisoners and 11 mainliners confirmed their religious faith June 4 in the presence of the Archbishop of San Francisco.

Accompanied by Fr. Milton Walsh, the Most Reverend John R. Quinn made the brief, inspirational visit for the express purpose of confirming and renewing many friendship bonds here.

The spirit of the visit was captured in Fr. Bill Linakis' reading of Luke 4:18, "To preach deliverance to the captives . . . to set at liberty them that are bruised."

J. Harty, R. Whitcomb, R. Salcedo, G. Calzada, P. Hernandez, G. Rodriguez, D. DeLeon, A. Figueroa, A. Thorne, R. Anguiano, and C. Lara were confirmed during chapel services. Personal visits were paid to R. Massie, A. Robertson, S. Jara, Patrick Muckey, Joseph Sanchez, Charles Sanchez and Anthony Martinez — the last four being adopted confirmation names.

Expressing himself first in English and later in Spanish, Archbishop Quinn said that "As branches of the tree of life, we must trust — even in the face of trials and problems."

## Letters

Dear Editor:

I am quitting the MAC. Since being elected as the west block representative, I have realized that one man alone just can't get anything done. In my opinion the MAC is a shuck — it's not for the cons, but rather for a chosen few.

Another reason why I'm quitting concerns the opposition from staff. When I tried to approach this problem, I had one lieutenant look me straight in the eye and tell me that staff and free personnel do not lie. Man, these people have been busted for drugs and weapons — one was recently busted for bringing a gun into the prison — and who knows what else they bring in. It's absurd to automatically assume that these cops are any more honest than anyone else.

Anyway, I sincerely thank all the dudes who voted for me, but I've lost hope that the MAC can become an effective representative body. To sum up my resignation in the words of John "Doc" Whitus, "If the MAC ever does get to be a help to the convict population, the warden would probably disband it." It is my feeling that the MAC is allowed to exist solely because it never makes any waves. It is unfortunate that this kind of "representation" is encouraged.

In response to Raymond Looney's letter (SQ News, June 12) there are some solid convicts in the west block. I personally got over here by just keeping a clean record — I haven't had a beef since I escaped from Folsom years ago. As to his letter from the Prison Law Office, I have written to K. N. Yanow and explained why I quit the MAC. I also verified the fact that you people in the lockup units have no MAC representation. Thank you for bringing it to my attention.

Regarding the MAC's recommendation that the west block be excluded from the Chapter 4600 regulations, it is my opinion that the MAC Executive Body — being all residents of the west block — acted in their own behalf. I personally am for equal treatment of all convicts. I am not on the executive body. This body consists of Walter Speights, Pete Hernandez, Craig Stevenson, and Jimmy Duran, with one position being vacant. Russell Wise and Carl McQuillon are special advisors. These six men have special privilege cards allowing them access to all housing units and work areas within the institution walls except security areas. The remainder of the MAC body do not have these privileges.

There has not been a general meeting of the entire MAC since I was elected over four months ago, nor have I been allowed to attend any meetings the executive body may have had with the warden. It appears, then, that the function of the MAC is limited to its executive body alone.

In closing, I am no longer a member of the MAC, but I will continue to seek ways to fight for the betterment of all convicts. If there is any way I can be of help to the men in our lockup units, please call on me.

— Frank M. Smith, A-42383

Dear Editor:

I am a subscriber living in the State of New Hampshire. In your Apr. 24 issue there was an article telling about two tier gassing incidents ("Tear Gass Quells AC Disturbances") both involving the Adjustment Center and its residents refusing to remove the paper covering from their cell bars.

This involved a total of 41 prisoners which, to me, indicated some issue that was important enough for people to not only organize around, but continue protesting in spite of the anticipated tear gassing.

Nowhere in the article did it state what prompted this action by the prisoners or the guards. Would someone please explain what was going on and if the issue has been resolved.

I love reading the Letters-to-the-Editor column — it gives me a good feel for how some of the guys there feel. The law column is good too.

Looking forward to a response.

Thanks,

— Sue McKevitt, Henniker, NH

Editor's Note — The incident you refer to was precipitated by an administrative order pertaining to the covering of cell bars. The institution-wide order outlined three separate sets of limitations which would apply differently to the different housing units. Representative of the three classes of housing units are the east block (mainline), the west block (a "workers unit under honor block criteria") and the AC (a maximum security lockdown unit).

The limitations affecting the east block were unchanged: covering would be allowed on the lower half of cell bars. The west block would be allowed to keep the covering on three-fourths of the bars, but would no longer be allowed to have curtains covering the remaining open "window" of the cell door. And where the AC had previously been allowed some covering of bars, they would now be allowed no covering whatsoever.

The reasons prisoners give for covering their bars are (1) to keep out drafts and retain heat, (2) to muffle some of the noise in the blocks, and (3) to enjoy some little bit of privacy. Some convicts in the AC apparently interpreted the new order as insensitive and unjust — and they reacted to it.



# A Junkie View of the Quagmire

*Editor's Note — Eddie Bunker is an ex-convict who did time during the 1950s and '60s in several prisons, including San Quentin. In a recent letter, he wrote, "Way back in the '50s I told some Shrink there that I wanted to be a writer. They said it was an immature fantasy." While in prison he taught himself to write and is today a successful author living in New York City. Among his published books are "No Beast So Fierce," "The Animal Factory" and his recently released "Little Boy Blue." Bunker plans to have another book out in September about the Brazilian jazz singer, Flora Purim. The following was originally published in "The Nation," Apr. 25, 1977, and is reprinted here by permission of the author.*

By Edward Bunker

The United States has no choice but eventually to abandon its war on heroin addiction and adopt the so-called English system, which allows designated physicians to prescribe, under careful regulation and monitoring, maintenance doses of any narcotic except heroin, usually morphine or methadone, to registered addicts. Until a few years ago, physicians also prescribed heroin, but a slight rise in figures (it turned out to be false) changed that; now the heroin is dispensed from clinics. England isn't alone; nearly all Western European nations allow doctors to treat addicts with narcotics. None has a social problem with addiction; none has a crime rate gone berserk because of narcotics. European authorities believe that the United States created its own problem and tenaciously exacerbates it through collective delusions.

At the turn of the century, when opium, morphine, and heroin were cheaper than aspirin and sold in more places, and when every male alcoholic was matched by a female drug addict, it was cause for a few clucks of sympathy when a family member was hooked, but no stigma was involved. We had 200,000 addicts in a population of 78 million, all of them living normally. Physicians gave opium and its derivatives for every sickness and every symptom. Even the temperance fanatics saw little wrong with it, by comparison to the demon rum.

Had anyone suddenly announced that henceforth addicts would be denied narcotics, there would have been public uproar. We stumbled into our present situation a little at a time. A Hague conference on international affairs, a precursor to the League of Nations and United Nations, drafted an agreement among nations to regulate and reduce the unrestrained international traffic of opium and its derivatives. This had nothing to do with addiction in Europe or the United States; it had to do with England flooding China with Indian opium that the Chinese didn't want. As an outgrowth of that, governments decided that narcotics should no longer be sold like gumdrops.

It was at that point that England and the United States diverged. We planted the seed of the tree of disaster that we are now harvesting, whereas England realized that trying to eradicate addiction would just create illegal traffic. The British had the benefit of having watched similar attempts in Asia in the 19th century. They also didn't want to make criminals of citizens who had a sickness. So the opium-laced patent medicines were taken away, morphine and heroin no longer sold to anyone, but there was never any question of depriving addicts of a supply — especially after the British saw what was happening in the United States. Strict laws against smuggling and trafficking were put in force, but these haven't been used very often. Registered addicts got their supply of pharmaceutical-quality narcotics as they would any other routine, inexpensive medicine. Way back then, England had, proportionate to its population, slightly fewer addicts than the United States. The figures held steady for a decade, and then slowly fell as older addicts died without contaminating others. Now England has about 3,000, 70% of whom are employed, pay taxes, and live at least as normally as diabetics on insulin. The streets of London are safe to walk at night.

The United States went the other way. We would not merely stop the spread of addiction to future generations, we would stamp it out forthwith. The first shot of the war was the Harrison Narcotic Act of 1914, which on its face curtails open distribution but seems to leave the question of treating addicts to doctors. The medical profession, which had and still has the highest rate of addiction of any profession, began to care for addicts in their sickness. Clinics were opened, private physicians wrote prescriptions. Then the United States Supreme Court, handing down the decision that has caused all the trouble, ruled that physicians could not give ad-

dicts any narcotics. Instantly the illicit traffic sprang up, though for several years the price was such that an addict could maintain his habit by working. The international and domestic racketeers didn't visualize what the traffic would bear, so where a legal daily dose had cost 15¢ it now cost 50¢. Throughout the 1930s the number of addicts remained about the same in both England and the United States. It has never been a big thing to be an addict in England. The most the English feel is slight pity; more stigma is attached to being an alcoholic. By the same token, there's no mystique, no sense of flirting with danger, which is an element that attracts youth here.

Addiction began to rise slightly in New York City in the years just before World War II, but during the war years the problem nearly disappeared. International routes were closed and synthetic narcotics were not yet being produced — the Germans were developing them — in sufficient quantity to reach the underground market. In 1946 addiction in the United States reached its lowest point in recent decades: 20,000 junkies, most of them in New York. There, too, was where the postwar traffic got its first hold.

By the time Dwight Eisenhower took office in 1953 the number of addicts had increased to 50,000 and another war was declared. Congress passed the Jones-Miller law, requiring mandatory minimum sentences of 10 years (no probation, no parole) for possession, sale, transporting of any amount of heroin cocaine or marijuana. It was all the same in those days. Sentences of 50 years (no parole) were common. In the decades since Jones-Miller became law, addiction has increased geometrically: 50,000 addicts in 1953, 150,000 in 1965, 560,000 in 1975. California, especially Los Angeles, has always had a few addicts because of its proximity to the Mexican border. The 1950 estimate was 1,000, and when it started to rise soon thereafter the legislature began writing tougher laws. In the next decade the statutes were changed several times, culminating in 1961 with sentences whereby anyone with a prior conviction (one joint was enough) who was caught with any usable amount of heroin (even half a gram) received a mandatory 15-year-to-life sentence — 15 years before being eligible for parole. Addiction in Los Angeles is now 60,000.

When he was appointed President, Gerald Ford declared his war on dope, asking for three-year minimum terms for traffickers. Clearly, penalties are not the answer but we don't seem to learn very fast.

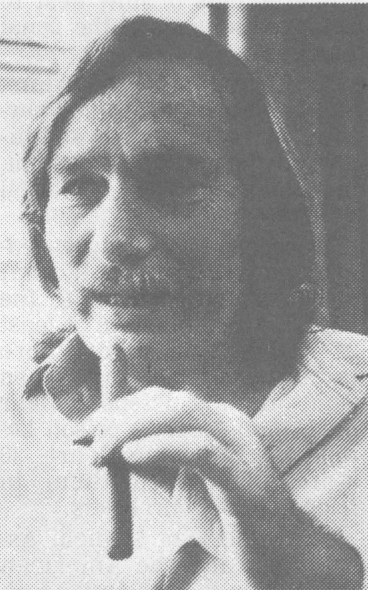
There's a parable about lilies in a pond that double every day, but nobody notices the danger that they will cover everything because the pond is still half clear on the last day. With drug addiction we are nearing the last day: it has increased by a factor of 28 — from 20,000 to 560,000 — in 30 years. This wildfire growth has been in the face of relentless attack and Draconian sentences. Yet a Drug Enforcement Agency official in California, when asked his opinion of heroin maintenance, deplored it, saying that all we need is tougher penalties and more money for enforcement.

Everyone recognizes that 90% of addicts are forced to commit crimes to maintain their expensive habits. Street crime is addict crime. The actual cost of manufacturing a gram of pure heroin — enough to maintain an addict for at least one day, perhaps two or three — is around 10¢. That's the cost if it were dispensed by a physician and if nobody made a profit. The illicit price is \$100, for which the junkie must steal \$300 in merchandise, one-third of retail value being par for hot goods. At least 50% of property crimes are committed by addicts, and the recent spread of crime to suburbs and small towns seems to correspond with heroin addiction leaping the tracks from the ghetto and barrio. Now such places as Eugene and Medford, Ore., Tacoma, Wash., and Redding, Calif. have heroin addicts — and their crimes. Twenty years ago Seattle had no addicts; now it has 16,000. Santa Barbara, once jailed all its known addicts for a couple of months. It was probably unlawful, but burglaries dropped 55%. Upon the arrival of limited methadone maintenance in San Francisco, property crimes went down 20 percent. The *Los Angeles Times* recently reported the arrest of a young junkie who admitted 250 residence burglaries in 15 months to pay for a \$200-a-day habit, crimes committed not to live regally without work but to keep away from sweating, stomach cramps, vomiting, diarrhea and worse. According to outdated figures (pre-inflation) the average addict spends \$8,000 a year on heroin; he also must eat and sleep. Multiply that by 560,000, add billions in law enforcement, institutions, and lost taxes. Finally, look ahead to what the crime rate will be in 10 years if addiction keeps spreading at even a fraction of the present rate.

That's just the economics; it doesn't include human misery beyond reckoning — not because of addiction per se, but because of the life our 20th-century leper is forced to live. The United States and the addict are locked in a weird dance of flagellation, one through helplessness, the other because it clings

to the concept of a war. As in any war, demagogic propaganda drives out detached thought. The myths of drug addiction have become accepted reality. Even the Supreme Court, citadel of reason, has succumbed. In a case dealing with criminal sanctions to be levied merely for the status of being an addict, the court called addicts "living dead" and zombies. When you know that the only way to tell if someone is using heroin is by urinalysis it's hard to visualize a zombie. One of the living dead was a founder of Johns Hopkins. An addict from his 20s to his death, he was the greatest surgeon of the era (he fixed before putting on his gloves) and developed asepsis in surgical technique. He didn't become emaciated, sunken-eyed and sallow because he was a doctor and had morphine available. Hermann Goering was a monster but hardly a zombie even after 20 years of morphine.

The medical reality of narcotic addiction is that 50 years of the heaviest imaginable habit will have no deleterious effect whatsoever on heart, liver, lungs, kidneys, cardiovascular or respiratory systems. It might affect cal-



EDWARD BUNKER

cium balance; so does milk. It might even contribute to longevity because it's the ultimate tranquilizer. The image of the scarecrow is appropriate, but that's because of the awful life society forces the addict to live. An addict is indeed enslaved. Nothing else matters when his habit must be satisfied, and his are the labors of Sisyphus. When he gets his drug he is normal, though probably less ambitious and driving than is thought ideal in the Protestant ethic.

The enslavement alone would justify the relentless war — if war could cure the addict or stop the traffic. Alas, half a century of this conflict has had precisely the opposite result. War has made selling narcotics in the United States the most lucrative business in the world. With so much money being made both from the traffic and the battle against it, wealthy and ruthless men have a vested interest in maintaining the status quo. To the big trafficker each invested dollar returns a hundred overnight — and the growth rate is faster than IBM's, because the frenzied street junkie wants to reduce the pressure, and the one way to do it is to get a couple of customers and become a pusher. Nobody could push dope in Europe. Why should an addict buy from a pusher when he can get a prescription and go to a drugstore?

The war has been on two fronts for a long time, and a third has been recently added. The first has been the campaign to cure the addict, usually while he's confined, but in the last decade with community programs as well. All are total failures, so much so that the bureaucrats administering them cannot allow thorough follow-up studies, lest the public scream at the gross waste of money. Synamon, the famed therapeutic community, claims just 10% success among those who stay two years, and they are but a fraction of those who enter. And Synamon deals with motivated persons. New York conducted a three-year follow-up on 247 adolescent addicts who had been treated in a heavily staffed, extremely expensive program. The young junkies were given group and private therapy and counseling, remedial education, vocational training and aid on release. The failure rate was 100%. Of the 247, eight were out of jail and drug-free — but when interviewed each claimed never to have been an addict. They'd been busted with dope on them and sent for treatment, which was better than jail.

Civil commitment programs in California and New York are expensive and useless. Ten years ago Congress established the Narcotic Addict Rehabilitation Act, and the Bureau of Prisons has NARA programs in many of its institutions. Under NARA, addicts convicted of nonviolent federal crimes are committed for treatment. All NARA does is provide a lot of \$20,000-a-year jobs for sociologists. The NARA director at Terminal Island, Calif. cannot produce one cured junkie after 10 years and 1,000 commitments. On the other hand, it's

easy to produce scores who have become addicts at Terminal Island. Indeed, wardens at Terminal Island, McNeil Island, Atlanta, and elsewhere have declared the drug problem in prison insoluble. That raises an interesting question: If the federal government cannot control narcotics in federal prisons, how can it be controlled in the whole United States?

Addicts call themselves dope fiends, and it fits. They live unimaginably mean lives, on the whole. They call it "running," and that, too, fits. A frantic cycle of stealing something, selling it, finding the connection and finally getting fixed. If they are lucky there's enough for a day or two, but usually in an hour they're running again. Unless they can become dealers the Damoclean sword of getting sick hangs perpetually overhead, and the stays of execution are but a few hours at a time. Often they hit the street during withdrawals, ready to do anything to relieve the agony.

Sooner or later — and often — a junkie goes to jail, where he usually has to kick cold turkey. Kick because that's what he does, jerking his legs for sleepless days; cold turkey because waves of goose bumps torment his body. After he kicks, he may spend months or years in jail or prison. Nonetheless, within hours, days, or weeks of release he'll be inexorably drawn back to sticking a needle in his arm, knowing what his life is going to be, knowing he'll again find himself puking and shitting on himself on a jail floor.

Why do they do it? Theories are abundant, mostly psychological, but I believe that once a person has been fully hooked a permanent biochemical change takes place, and that once a body adapts, it is never again normal without narcotics. Though studies on that aspect of the problem are few, it's well known that a nonaddict can be given liberal doses of narcotics for 10 days or longer with no discomfort when the medication is stopped, whereas an addict suffers mild symptoms after two days, and after a week will be fully sick. His body chemistry has changed. Whatever the cause, there is no cure. For all statistical purposes, once a junkie always a junkie.

If anything in this war has proven a greater failure than curing addicts, it is the second campaign of stopping the traffic. Half a century of unrelenting crackdown has achieved nothing. Every President since Truman has declared a new jihad on the dealers of death, but all street pushers are dope fiends and nothing will dissuade them. They can't help themselves. The middle level of the distribution network is hard to penetrate, and so much money can be made that there will never be a shortage of persons eager to try their luck, no matter what the penalties. I know a 23-year-old ex-G.I. who flew into Hong Kong with \$1,400 in his pocket. He bought a pound of No. 4 White Dragon Pearl heroin, broke it into tiny lumps and wrapped them in three layers of condom, tying them into little balls. These he swallowed. He put the rest in his colon. He failed the smuggler profile at customs, but the rigorous search revealed nothing. Would you advocate stomach pumps and enemas for anyone who might be a smuggler? He sold the load for \$22,000. He could have made \$150,000 if he'd diluted it to street quality and retailed it. He repeated the journey several times, taking another G.I. with him. In one year he had made enough to live like a prince forever in Mexico. That's where he is now.

The criminal syndicates, national and international (especially the latter), are invulnerable to arrest and prosecution. In some places the kingpin traffickers and the rulers are one and the same. We look foolish to the world as we struggle in the net that tightens just because we struggle.

As for stopping the smuggling, a half-minute of thought about what that entails should get it crossed off the list of possibilities. Moreover, when customs boasts of seizing 5 kilos of pure heroin worth, say, \$3 million, the impression conveyed is that somewhere Fu Manchu lost, perhaps, \$15,000 and is in no danger of going bankrupt. The addict, it is true, may pay a little more since dealers will take advantage of the alleged "shortage."

The third and newest campaign of the war is the attempt to curtail the growth of opium. Last December, President Ford announced that he'd consulted with the Chiefs of State of Colombia, Turkey, and Mexico on the matter and elicited promises of cooperation in return for financing. Rep. Peter Rodino (D., N.J.) followed up the President's announcement with a proposal that we cut off aid to all noncooperative countries. Both men were either making political hay (narcotics is always good for that) or they don't understand the realities. Colombia grows no opium, Turkey had an agreement to stop raising it, but reneged after a year (during which there was no heroin shortage) because our compensation wasn't enough to repay the Turkish opium farmers for abandoning the crop. We let it go without a whimper.

As for Mexico, the central government is willing to help as long as we give enough millions to subsidize the effort,

but Mexico isn't like the United States; Mexico City has only limited control in the hinterland, where the attitude is that our approach to drug addiction is hilariously stupid and that selling narcotics for U.S. consumption is no sin. In the mountains of Sinaloa where the opium grows, as soon as you leave the cities conditions have changed little since Pancho Villa. When the government wants to go into the mountains it has to send troops. According to some Mexican dealers that's what the government has been doing recently. Opium fields are being burned and dealers arrested or killed. Virtually all of Mexico's crude brown heroin is for the U.S. market, where the wholesale price has gone up 40% since August 1975.

Before rejoicing, note that Mexico's production is picayune, perhaps 1% of the world supply. Ford neglected to mention the so-called Golden Triangle of Burma, Laos and Thailand, where 70% of the world's illicit opium grows, enough to supply 15 million addicts. In those jungle mountains, the clans and tribes that grow opium neither know nor care what country they are in. They do know that they have all the guns in the area. Growing and selling opium is their way of life.

Afghanistan and Pakistan also grow a lot of opium, though so far it hasn't been needed in the illicit pipeline. In fact, there's a lot of opium to curtail. Just three square miles of poppies can supply the U.S. market nicely. And even if there's a worldwide shortage, the American market will be the last to feel it because we pay 100 times more than anyone else.

Finally, matters would change only for the worse if every opium poppy in the world keeled over and died. Too many fortunes are at stake not to have contingency plans, and those are to manufacture the synthetics, such as dolphine, blue-morphan and dilaudid, which are more addictive than the real thing. Dilaudid, the oldest synthetic, is preferred to heroin by many addicts, and except for its stronger rush when injected, is hard to differentiate from heroin. The chemical process is no more difficult than that of converting morphine base into heroin, or making LSD or speed. The base of the synthetic opiates is coal tar. Do we next try to curtail the world's supply of coal tar?

We cannot cure addicts and we cannot stop the traffic. Sooner or later, now or when the 560,000 junkies become 2 million, we are going to change our system and allow addicts to have regulated doses of narcotics, including heroin. Methadone has paved the way, showing that the world won't collapse if addicts are allowed what they need as critically as diabetics need insulin. Methadone programs are not without their own problems but, for those on them, they are the most effective therapy thus far attempted. Addicts who have spent years stealing or in jail suddenly get jobs and pay taxes because they can drink a glass of methadone and Tang every day. More than 80% are employed. True, some are still criminals, and a few sell part of their ration, but methadone is a viable program — or would be if the bureaucrats hadn't gotten in. It reaches only a minuscule percentage; in Los Angeles, for example, 2,000 out of 60,000, and even that is threatened because taxpayers rightfully resent spending \$7 a day to give narcotics to a dope fiend. When you consider that methadone costs 10¢ per dose, plus 15¢ for the glass of Tang, it looks as though someone is doing nicely. The markup isn't nearly that of illicit heroin — 6¢ to \$100 — but it's too much for the taxpayer and too much for the majority of addicts. We need a cheaper method of distribution.

Nor will methadone alone do the job. Too many addicts dislike it. Younger addicts still want the rush of a fix. And some people gain excessive weight on methadone, 40 or 50 pounds, while others become so somnolent that they can't do anything but doze in front of the television. Some are afraid of methadone because the withdrawal is much worse than that of heroin. Its main good points are that it can be taken orally, eliminating hepatitis and infection, and requires just one dose a day, compared to heroin's three or four.

What we must do, and will do despite the screams of law-enforcement officers and others, is register all addicts, determine the daily maintenance dose for each individual (some addicts in England use both methadone and heroin) and issue ration cards that allow the individual to buy that much each day in drugstores. Methadone clinics already allow most patients to take home enough for several days. Some of it will be resold, but no junkie is going to cut himself short. Pushers will disappear. We'd still have a lot of addict-citizens, but not many addict-criminals. You might even be able to walk in Central Park at night. The cost would be virtually nothing — and would save billions.

What can we lose by trying it for a year? Nothing else has worked. It would do nothing for today's addicts, except allow them to live normal lives. It might save the children.

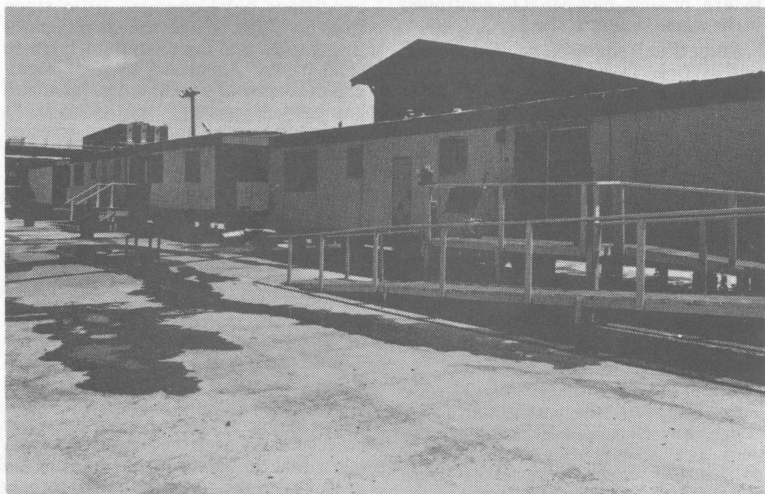


## Family Visiting . . .

Continued from page 1

visitor should bring a birth certificate, driver's license or California ID card.

Under a ruling handed down by Walter E. Craven, Deputy Director of Corrections, inmates will be required to comply with visiting procedures, which go into effect Monday.



ONE TRAILER accomodates cons in wheelchairs.

Family visiting staff will search all the items and visitors. Also, the visitor will be limited to two bags, boxes or suitcases of clothing or provisions for each visitor.

Visitors are encouraged to bring their own sheets, pillowcases, towels and washcloths for their visits.

The regular visitor's parking lot is to be used by family visitors. Minimum, medium and PHU families must report to the east gate entrance building no later than 3 p.m. on the day of their scheduled visit or the visit will be cancelled. Maximum B and close B families must arrive between 1 and 1:30 p.m. Visitors who will be late should call the family visiting office at (415) 454-1460, ext. 229.

If an inmate's family fails to appear for a scheduled family visit without notifying the family visiting coordinator in advance, the inmate will be subject to disqualification from the family visiting program for six months.

Transportation for family visitors and their provisions is provided from the east gate to the trailers. Once admitted into the family visiting area, the visitor cannot leave, except for emergency reasons, and then only under escort of the family visiting coordinator.

Upon termination of the visit, inmates may bring back only items listed on the inventory sheet. All other property will be confiscated as contraband.

"The plan is to hold each man accountable for the condition of the trailer he and his family uses," Depue said. "Failure to comply with this plan will result in loss of family visiting privileges for a six month period."

Refer to SQ News issue of May 15 for information on the new family visiting cancellation regulations.

## Court Upholds Time Limit on 115 Hearings

Forty-five days of goodtime were restored to Richard Johnson by order of Marin Superior Court (No. 101871) Judge David Menary, Jr., May 19.

According to the ruling, Penal Code section 2932 requires that a hearing be held within 10 days after receiving a written notice of a CDC-115, if time loss is possible, but in no case may a hearing be held after 30 days.

The habeas corpus proceeding was argued by Mike Satrio of the Prison Law Office.

The department has adopted a system of preapproved visitor applications, which require that inmates send a copy of the revised CDC-106 to their prospective visitor. Visitors will complete the questionnaire and return the form by mail. Staff will then approve or deny the request and notify the applicant. Applicants will not be

permitted to visit until they receive notice from the institution. The only exception will be in cases of an emergency nature or where the visitor has traveled from out of state.

Depue said that Monday is the deadline for the CDC-106 to be sent out to the visitors, although few of these forms could be found. Depue added that there would be an approximate two-week grace period, during which first time visitors would be allowed to visit without prior approval.

The types of family visiting units here are the seven apartments outside the walls for minimum custody inmates, seven trailers for medium and one trailer for PHU inmates located on the lower-lower yard, and two apartments on the lower yard for Maximum B and Close B custody inmates.

Most standard household items are available within each unit to allow for food preparation. Depue informed the News that he has recently purchased new household items from the family visiting funds for the medium custody units and will be outfitting the remaining units in the near future.

Families of minimum and medium custody inmates must bring all food items that will be consumed during the visit. All types of food items found in stores are allowed. However, inmates with maximum B or close B custody must purchase TV dinners from a special canteen order. They may also bring items purchased from the regular canteen out with them on their visits.

## Art Workshops Will Continue

There will be a continuation of the art workshops with Richard Kamler working in drawing and sculpture. Participants will be doing art dealing with personal material to develop their own mythologies, using two- and three-dimensional media.

The workshops will be held from 1 to 3 p.m. on June 30, July 1, 7, 8, 28, and 29. To attend, send your name, number, housing and work assignment to Lynnelle at the education department. Participants will be educated.

## West Block Handball

There will be a handball tournament on the west block court starting at 8:30 am on Sunday, June 21. The coordinator of the event is Fernando Gonzales.

## Double Ceiling . . .

Continued from page 1

with the funds to build new prisons.

This decision (*Rhodes vs. Chapman*) does not end all court disputes over prison conditions. The Supreme Court made it clear that federal judges may continue to play at least a limited role in reviewing prisoners' complaints and in making sure that jails do not deteriorate to the point where they inflict what Powell called "the wanton and unnecessary infliction of pain."

But the justices sent a clear signal to the federal judiciary that it should leave the main job of running prisons to corrections officials and state legislators.

"Courts cannot assume that state legislators and prison officials are insensitive to the requirements of the Constitution or to the perplexing sociological problems of how best to achieve the goals of the penal function:

"...To deter future crime, and to return imprisoned persons to society with an improved chance of being useful, law-abiding citizens," Powell wrote.

In recent years, lower federal courts have held that prison conditions violate the Eighth Amendment in at least 24 states, and many more lawsuits are pending. When Ohio officials defended their maximum-security prison before the Supreme Court, 30 states supported them in friend-of-the-court briefs.

The American Medical Association and the American Public Health Association took the side of the prisoners, citing the "adverse consequences of long-term overcrowding on inmates' physical and mental health." Both the public health association and the American Correctional Association have adopted standards recommending that prisons allow 60 square feet per inmate.

The prison on which the Supreme Court ruled was built in the early 1970s in Lucasville, Ohio.

It contains 1620 cells, all of which are heated, ventilated, and equipped with toilet, hot and cold running water and radios. The Ohio Legislature originally planned that each cell would be occupied by a single inmate, but after the institution opened, 1400 inmates were doubled up in cells equipped with bunk beds.

Ruling in a suit brought by two Lucasville inmates, U.S. District Judge Timothy S. Hogan held that the double-ceiling violated the Eighth Amendment. His decision was affirmed by the U.S. Court of Appeals in Cincinnati.

The Supreme Court decided against those lower court rulings. After reviewing its past decisions on the Eighth Amendments, the court said that prison conditions were not unconstitutional unless it could be shown that they inflicted needless pain on inmates or were "grossly disproportionate" to the crime that was committed.

Powell acknowledged that the double-ceiling of prisoners in Ohio had reduced the inmates' employment and educational opportunities. But, he went on, "Limited work hours and delay before receiving education do not inflict pain, much less unnecessary and wanton pain."

Chief Justice Warren Burger, who in several recent off-the-bench speeches has called attention to inadequate conditions in the nation's pris-

ons, signed Powell's opinion without comment. Justices William H. Rehnquist, Potter Stewart and Byron R. White also joined in Powell's opinion.

Writing separately, Justices William J. Brennan Jr., John Paul Stevens and Harry A. Ackmun agreed that the double-ceiling of inmates at the Ohio prison was not unconstitutional, because there was no proof that any of the inmates had been seriously harmed by the crowded conditions.

The only dissenter was Justice Thurgood Marshall. "With the rising crime rates of recent years, there has been an alarming tendency toward a simplistic penological philosophy that if we lock the prison doors and throw away the keys, our streets will somehow be safe," Marshall wrote. "In the current climate, it is unrealistic to expect legislators to care whether the prisons are overcrowded or harmful to inmates' health."

## SanQuentinNews

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## San Quentin Question Man

**What is your response to the warden's proposal regarding searches of employees and officers?**

**W. C. Hing C/O:** Searches are okay if based on probable cause. I feel selection process should be improved by requiring potential employees to submit to polygraph, psychological testing and complete indepth background check prior to being hired.

**Terry Heiser, LTA-CRIC:** It is my understanding that all staff is always subject to search. Personally I don't object and feel such security is in the best interest of all in the institution.

**J. D. Rhines, C/O:** Wouldn't bother me at all. If an officer has nothing to hide he shouldn't object. Maybe we would be able to clean up some officers acts.

**D. S. Hines, C/O:** I think that it is unnecessary, if the administration would do a proper background investigation.

**Lieutenant Fain:** I expect this as it is part of the job requirements.

**D. A. Murfin, furniture factory supervisor:** I feel that it would be an added expence that is unnecessary and degrading. If we can't be trusted then why are we working here at all.

**D. G. Mitchell, C/O:** It's bullshit! Why hire people you don't trust? Searching the employees would definitely be a move in the wrong direction. Try screening the new employee applicants a lot closer. This would prevent the problems that have lead to the search proposal. The administration preaches professionalism, well then, hire professional acting people.

**H. L. Neuschaefer, supervising librarian:** My response to the proposed searches of employees and officers is that it would be part of my job requirement to submit to it, since ultimately these searches are made in order to secure everyone's safety — staff and inmate.

**D. Chiappuzzo, industry accounting supervisor:** I have no objections to going thru a metal detector.

**G.D. McMasters, C/O:** I'm all for it. The items that have been found are deffinitely from the streets.

## Muslim Observance Of Ramadan Fast

Beginning July 2 the entire Muslim world will be observing its annual fast of Ramadan, which commemorates the revelation of the Holy Quran to the prophet Muhammad (peace and blessings of Allah be upon him). It will extend until Aug. 2 and is followed by a day of festivities for the fast-breaking called Id Ul Fitr.

During Ramadan, Muslims spend daylight hours in fasting and eat only before sunrise and after sunset. It is a period wherein we seek a closer communion with Allah (God almighty) spending much time in prayer and in reading the Holy Quran.

In order for the food service department to know the approximate number of meals to prepare, it is requested that all members of masjid Muhammad and the general population participating in the Ramadan fast have their name, number and housing turned in to Imam John M. Faqir before June 15 in the Islamic office.

**J. Cathy, C/O:** I think the whole situation was blown out of proportion. Because when you deal with a vast number of employees you will have a few careless, but hopefully not dishonest ones. I think we who are careless should learn from this.

**B. J., C/O:** A lot of work, misuse of state funds, if you don't trust them, don't hire them. There's too many other things right now for us to be concerned with. If everyone has to do it. It would more than likely serve its purpose. Everyone; warden, secretaries, chaplains, everyone, then let's do it.

**E. Lipkowitz, C/O:** It would be okay if done indiscriminately and towards all staff, and implimented throughout CDC and not just at San Quentin. If the searches proved futile and contraband continues to appear; what will the administration do next? This is the crux of the problem.

**Betty Hodgson, mattress factory supervisor:** I feel the metal detector is sufficient. The time spent searching personnel would be wasted.

**B. K. Hanby, C/O:** I'm in favor of it, if it includes all staff from the top down; to include all free personnel, not just correctional officers.

**J. Ryan, C/O:** Only if he supplies proper shower and locker facilities, so that officers don't have to remove their work equipment (for instance his keys, badge, belts, pens).

**Bill Little, print shop instructor:** I don't like it. I think it is unprofessional, but something needs to be done. My main objection is that it opens up a whole new can of worms, skin searching. If I am the searchee, who will search the searcher.

**S. Chambliss, Jr., C/O:** I've been working at SQ for eight years. I have worked with many different officers. Some are here for the money. Some show that they don't care about the security of the prison nor the drug fiow. Some type of security should be used to keep the dishonest ones out. Most of the nonuniform staff shows a preference of inmate over staff. These type of people make me feel that some type of security precaution is needed for prisons of California.



# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 23

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Friday, June 26, 1981

## Alternatives Sought in Place of Incarceration

By Karen Feld  
Independent News Alliance

WASHINGTON — Sixty-five-year-old Victorian Theoret, a retired Catholic priest and a former philosophy and humanities professor, was recently sentenced to a year in jail by Dade County, Florida Judge James Rainwater.

The crime: He drowned five stray cats so they would not starve to death.

It's true that Theoret broke the law, but he is neither violent nor a danger to the rest of society. Yet it will cost the taxpayers between \$10,000 and \$25,000 to feed, clothe and house him in an overcrowded prison for one year.

Many judges, attorneys and others in the U.S. criminal justice system agree with Randolph Berg Jr., director of the private Florida Justice Institute.

"Putting a person in a cage doesn't reduce the crime," Berg said. "Therefor, you've

got to work in some sort of beneficial payment to the community and to the victim."

Those who favor practical alternatives to jail for nonviolent offenders might agree that the cat killer should have been sentenced to work on the county animal shelter for a designated period, rather than be jailed.

Washington, D.C., attorney Ira Lowe said he also believes that prison terms are often counterproductive. Lowe is the founder of the nonprofit organization Creative Alternatives to Prison, which hopes to cut the prison population in half by providing restitution to the victim, rehabilitation to the offender and savings to the taxpayer. Lowe estimates the potential savings to be about three-quarters of a billion dollars. Each state could save the \$15 million to \$20 million cost of a new 500-bed prison if it didn't incarcerate 500 of its least-dangerous offenders, he said.

Continued on page 3

## Next L.A. Bus to Run June 27, 28

The San Quentin visitors' bus from southern California will leave the Los Angeles area the evening of June 26, allow visiting for the next two days, and return on the evening of June 28.

The bus is provided through the Help Public Service Foundation, a private non-profit organization, at 5311 S. Degnan, LA, CA 90008. Their telephone number there is (213) 292-0144.

Inmates should provide their visitors with information concerning visiting. Brochures are available through the MAC or by calling the visiting gate at extension 556.

## High Court Again Rules Against Cons

WASHINGTON (UP) — The Supreme Court dealt a double blow to prison inmates in a pair of decisions June 17, narrowing the rights of convicts seeking pardons and expanding government power to transfer prisoners.

The rulings followed a major high court decision June 15 that states may confine two inmates in a cell designed for one.

Acting last week in a Connecticut case, the court ruled a prison pardon board does not have to give an inmate a written explanation when it rejects a pardon request. The 7-to-2 decision overturned a ruling that a prisoner has a constitutional right to a formal explanation.

"Unlike probation (decisions), pardon and commutation decisions have not traditionally been the business of courts," Chief Justice Warren Burger wrote for the court. "A decision whether to commute a long-term sentence generally depends . . . on purely subjective evaluations and on predictions of future behavior by those entrusted with the decision."

Dissenting, Associate Justice John Thurgood Marshall argued that an inmate should be entitled to a "brief statement of reasons" as an essential element of the due process for prisoners.

The other prisoner rights decision was an 8-to-1 ruling that the government may transfer an inmate from a state to a federal prison without holding a hearing to determine whether the federal facility can provide treatment "appropriate to his needs."

The court rejected arguments that shipping a Vermont prisoner across state lines against his will is "cruel and unusual punishment" banned by the Constitution.

Again writing for the court, Burger said Congress passed a law allowing such state-to-federal transfers out of "a desire to help states with insufficient (correctional) facilities."

Associate Justice Potter Stewart filed a one-paragraph dissent, saying he would have sent the case back to a district court "with directions to dismiss."

## Record Jump In Population

According to an article published in the May issue of *Newsweek*, the 12 month period preceding April of this year saw an increase of 2,788 in total CDC prisoner population — the largest increase in the history of the department.

This represents an increase of 12.3 percent — a percentage rise which was exceeded five times in the past: the post-war years of 1945, 1946 and 1947, when the population climbed 58% and 13.7% respectively.

The first three months of this year reflected an increase of 1,043 which was the largest quarter's increase since the summer of 1973 when the population grew by 1,083.

These increases brought the total population count to 25,433 — the highest since the fall of 1970 and only 3,400 less than the all-time high of 28,840 in early 1959.

## Prerelease Orientation Workshop Set for July 2

There will be a prerelease orientation workshop July 2 at 1 p.m. in the Jewish chapel for all mainline prisoners who are paroling or discharging on or before Nov. 1, according to information received from J. Chiapuzzo, CC II, prerelease counselor.

Chiapuzzo said the workshop will consist of various representatives from outside agencies who will provide information concerning job-search techniques and interview presentation formats.

Another area that will be addressed, he said, is that of locating places that provide resources and assistance for ex-offenders.

"It is of dire importance to each paroling or discharging inmate to be aware of programs on the outside that are of benefit to him toward a successful parole or discharge," said Chiapuzzo.

Sign-ups will be taken in the mainline housing units, the prerelease building and the education department. If interested, sign up before June 29 to be educated. The workshop is open only to mainline prisoners, he said.

## New PEP Cycle Begins June for Members

The new cycle of Personal Expansion Program (PEP) group meetings was begun June 9. Five groups are meeting at the chapel annex between 9:30 and 11:30 a.m. One group meets on Tuesdays, two groups meet on Wednesdays and two groups meet on Thursdays.

Anybody who has received a ducat may attend the next meeting scheduled or, if unable to attend, call Don Crowe or Nancy Larkin at extension 448 or send them a kite. Those who have signed up but did not receive a ducat, please contact Don or Nancy about it.

The objective of the PEP groups is to provide its participants with an opportunity to discuss the attitudes which initially lead to prison, Crowe stated.



GRADUATION NIGHT 1981

## 170 Graduates Honored In June 12 Exercises

By Jimmy Price

In what may have been San Quentin's last night-time graduation exercises, approximately 170 academic and vocational graduates were honored June 12 in the prison visiting room.

"Tonight is our night to be praised and congratulated for our achievements," said 23-year-old Brian Shipp, Class valedictorian. "We came here to do time and we turned that time around to work for us."

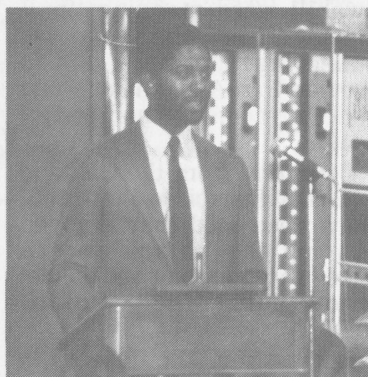
On behalf of the graduating class and all the continuing students, Shipp went on to praise the many teachers and instructors who "often gave more of themselves than they were given credit for."

Although only half of the graduates were allowed to attend the event, top administrators addressed their remarks to the entire class.

"What you learn is yours — no one can take that from you," said Warden George Sumner, "and I encourage you all to go on with your education."

Bayview School Principal Kenneth Barnes, who will not be returning next year, especially praised the graduates and all the students here for their perseverance and achievements — in spite of all the obstacles presented in a prison environment.

Lee Leary, named Teacher of the Year, presented scholarship awards to Pete Goings



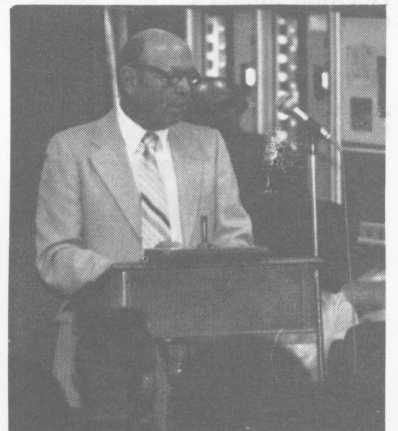
BILL LOFTON

## 6 Wounded, 85 Slammed In B Section Scuffle

A small melee in Badger section June 18 ended with six prisoners being treated for birdshot wounds and approximately 85 more placed on lockdown status in that housing unit, according to John Campbell, a prison spokesman.

About five prisoners were involved in the 1 p.m. scuffle, said Campbell. After the man ignored the warning shots, he said, two rounds of birdshot were then ricocheted into the combatants, wounding the six men.

The men were all treated and released from the prison hospital. A total of six shots were fired.



L. E. BOLTON

and Clarence Briggs. Not present to receive the leadership award was Gregory B. LaRue, member of the Student Advisory Council.

Other high achievers included Clifford Terrell, who received his Associate of Arts degree and a vocational achievement certificate in electronic data processing; Ruben O. Sena, who was awarded his high school diploma, a GED certificate and a vocational certificate in office machine repair; and Oscar A. Rodriguez, who also received his GED certificate and a vocational certificate in office machine repair.

Another highlight in the ceremonies was the presence of William Lofton, a former prisoner here at San Quentin, who told the graduates, "There is something out there (on the streets) for you — it's just a

Continued on page 4

## Summer School Begins July 6

By Bill Torres

A nine-week summer day-school program for 130 students will start here July 6 according to sources in the education department.

One basic education, one elementary, and two high school instructors will teach six class periods daily. One class during each period will be devoted to basic literary education. Elementary English, mathematics, science and social studies will be provided; the same subjects plus typing and accounting will also be presented at the high school level.

Continued on page 4

## SATE Sponsors Annual Afrikan Culture Show

Story and Photos, See Page 2



## Juneteenth Gathering

# SATE Sponsors Annual African Culture Show

Contributed by Gregory B. LaRue

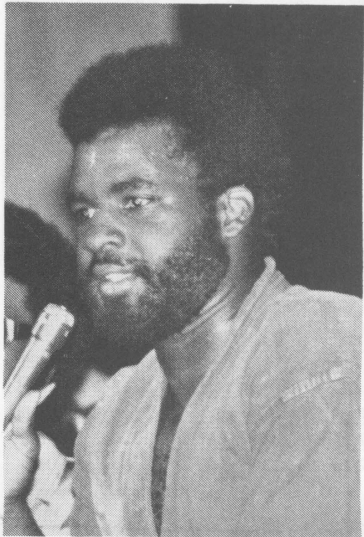
The Juneteenth African Cultural program, a redeclaration of the Thirteenth Amendment, took place at the north dining hall, June 20. The amendment confirmed the abolition of slavery and indentured servitude.

The program is produced by the Self Advancement Through Education (SATE), an African cultural organization formed in 1967. Sate has devoted itself to promoting cultural and self awareness among its members through educational programs.

Opening the show and holding a captive audience was the new look and sound, Blazed. Performing for the very first time before a live audience, Blazed delivered nothing short of professional showmanship.

Blazed's group members are Fred Barber, Billy Booker, Herman Moncrief, and Vance Gattis.

Master of ceremonies, and vice president of Sate, brother Awali Stoneham, welcomed the audience and said the pur-



AWALI STONEHAM

pose of the program was not a celebration, but a declaration of truth and education about African-American independence.

Brother Ernest Shepard then shared some of his inspired poetry with the crowd and won the attention of the audience as he recited his poem, "Who Killed McDuffie?"

Stoneham honored Rev. Diana M. Clark, introducing her as our own African cultural queen, a title well deserved for her many contributions to the brothers here.

Sister Clark delivered a brief message of encouragement, calling for brothers and sisters to become more involved with Sate and its efforts. She commented on new progress being made within the organization, and she encouraged unity, cultural awareness and collective work efforts.

After a brief introduction

Ancestral Wisdom was on stage sharing their talented gifts and deep seeded knowledge. These ancestral performers combined the forces of African rhythm, song, poetry, prose, and philosophy to enlighten the welcoming crowd.

With Sister Sonya Williams playing the oboe were brothers Phil Colston, Danny Harris, Terrence Elliott, and Herman Holland, all providing drum and percussion sounds. The deep-rotted poetry of this group was an experience one had to feel and hear for oneself.

No longer needing an introduction, our own Brothers of Soul performed with precise timing and remarkable professionalism. They are Greg McDowell, lead vocalist; Sam Drake, second tenor; and Franco Jones, bass. Backing up the song and dance artists were Luke Oliver, bass guitar; Matthew Wolfe, lead Guitar; Larry Miller, rhythm guitar; Jerome Herron, drums; and Allen Ware, keyboards. These brothers outdid themselves and, to my knowledge, they have never delivered anything less than an outstanding performance.

As Harambee was being introduced, the hall was filled with the rhythmic beat of African drums. Harambee is a Swahili word meaning "pull together," and the group has pulled together since 1974 to provide Pan-African song and dance for countless numbers of people.

Commencing from the Oakland and San Francisco bay area, Harambee said they enjoyed sharing the "black experience" through song and dance, enjoy doing their "black thing."

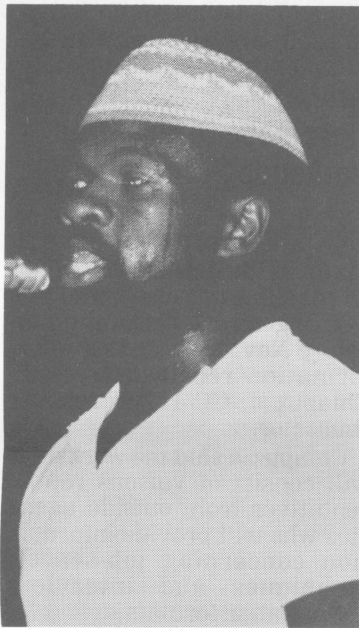
Ladies first, the dancers in the group were sisters Monica Garrett, Glory Montgomery, and Mary Jerrerson. Brothers dancing were Victor Titus, Calvin Penn and CB. Providing the drum and percussion music were sister and brothers Melvin Thomas, Myka Clark, Bill Bruce. Together they performed to a dance and song entitled "Roots," digging deep into the ancestral roots of the



SISTER CLARK: We need our own.

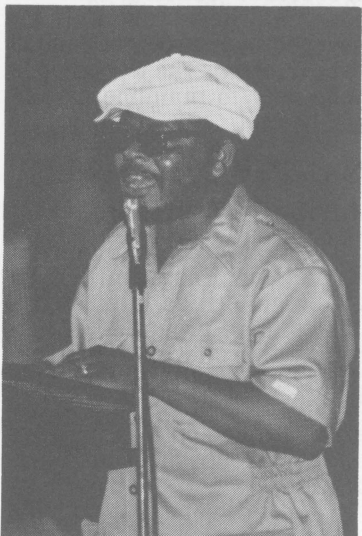
African people and their culture.

This fantastic performance was followed by a most outspoken guest speaker who is one of the editors of "Soul Book Magazine," brother Mamadou Umoja. Brother Mamadou, spoke from his heart on many subjects, among which was togetherness. "Brothers and Sisters doing it together step by



ANCESTRAL WISDOM

step" were his words. He related to the bruttle acts of violence inflicted upon the black society by the KKK and the need for self defense . . . Reflecting back on such black leaders as Malcom X he commented on Black Nationalism and the need to have our own, but said that "having our own" meant coming together in unity as one people and collectively striving for our own devel-



BROTHER MAMADOU

opments and progress.

Brother Mamadou moved the audience with intense interest as he came down on the people and, at the same time, reinforced the beauty in black Africans and Americans. In doing so he described how we have always been a creative people in our many valuable contributions to the United States and our won homeland.



HARAMBEE means pulling together.

The program closed out with a talented group of singers, the Naturals. These soulful brothers were Roger Mitchell, William Brewster and Little Joe.

President of Sate, Kalima Aswad, later commented on the success of the show saying, "Our sincere appreciation goes out to these people for their cooperation and efforts."



GLEN NANCE



BROTHERS OF SOUL, San Quentin's black gold.

## Second Quarterly Pastries Sale

The second quarterly pastries sale has been approved for this year and the deadline for ordering pastries will be July 5. The pastries will be delivered July 25.

The pastries can be purchased by the mainline population and lock-up units for \$3 each. Anyone wishing to make a purchase can do so from their housing units and their orders must be turned in no later than July 5 to the Al-Islamic office No. 4 or the salesman.

The following is a list of pastries that will be available for purchase: pineapple cheese pie, blueberry cheese pie, cherry cheese pie, bean pie, and oatmeal cookies.

All cookies will be sold in \$3 packages only.

## Kronos Performs At Garden Chapel

A small but enthusiastic group of prisoners attended the Kronos Quartet's performance at the Garden Chapel June 6.

The young, electrifying group captured many avid fans here. "We truly enjoyed hearing them," said Bone Walker, "and I hope they'll come back again sometime. Their last selection, 'Purple Haze,' was the best version I've ever heard."

Born in the Space Needle city of Seattle in 1973 and raised in cosmopolitan San Francisco, Kronos is a fresh transfusion, a new breed of Frank Zappa and Jimmy Hendrix futurism to wake up the past and make it live again. Kronos is a Greek work meaning time.

The human components of this pleasant "time machine" are David Harrington and John Sherba (violins), Hank Dutt (viola) and a heavenly cellist named Joan Jeanrenaud.

## House To Offer Summer Childcare

The House will be starting a summer childcare program June 16, featuring field trips every Thursday for children six years and older, according to Joy Stilliori.

"We will be going to the Indian Village at Point Reyes, the Oakland Museum, the San Francisco Zoo, the Afro-American Historical Museum and lots more, so sign up soon," she urged.

The House, sponsored by the Catholic Social Service of Marin, can be contacted by mail at 2 Main Street, San Quentin, CA 94964, or by calling (415) 456-4200.

## Mailroom Urges Cons To Comply

Mrs. Helen Cole, a mailroom employee, has asked the News to remind prisoners' correspondents not to enclose cash money in letters. When cash is enclosed, she said, the letter and contents will be returned to the writer. Money should be sent only in the form of checks or postal money orders.

Also, the prisoner's name and number should be clearly shown on the face of the envelope. If the prisoner's number is not indicated, mail could be delayed several days, she said.

Mrs. Cole urges prisoners who may be having problems with mail to contact the mailroom.

## WEEKEND MOVIE

## Hollywood Knights

No story information.



ANCESTRAL WISDOM, a love supreme.



# Alternatives to Prison . . .

Continued from page 1

Creative Alternatives to Prison will hold a Washington conference for lawyers who are involved in sentencing; the group sponsored a judges' conference 2½ years ago.

Lowe said he hopes that , after the conference, every lawyer "will feel obligated to talk about nonprison punishment."

"Artist and lawyers are the most creative groups in the country," he said. "The lawyers will come up with tough nonsentence alternatives."

Lowe practices what he preaches: When his client, John Ehrlichman, was sentenced in the Watergate case, Lowe asked Judge John Sirica to sentence Ehrlichman to a supervised term of public service, rather than straight probation.

More than half of the half-million people incarcerated in the United States have committed victimless crimes to crimes against property. The over-crowded prison conditons tend to encourage antisocial behavior; marriages break up, often adding women and children to the welfare rolls and placing an additional burden on the taxpayer. Therefore, practical alternatives to imprisonment are gaining public acceptance.

- For example:
- After her fourth arrest for pimping, pandering and prostitution, Brandy Baldwin was sentenced to spend 90 days of a suspended jail term with the Sisters of the Good Shepherd in San Frnacisco. After her time in the convent, Ms. Baldwin — who for 10 years operated one of San Francisco's most exclusive brothels — abandoned the flesh trade to write a book about her career as a high-society madam.
  - A Chicago man known as "Weird Harold" was convicted of selling pornographic books. Instead of sentencing him to jail, the judge sentenced Harold to donate 3,000 "clean" books to the county jail's library.
  - A Maryland ear, nose and throat specialist found guilty of Medicaid fraud was sentenced to work in the medical clinic in the Prince Georges County prison for one day a week — for a total of 400 hours. The free medical work saved the county the cost of transporting prisoners to a specialist at the hospital and made use of the physician's skills and training.

- A Tucson Arizona barber was convicted of stealing from Salvation Army drop boxes. The judge ordered him to give free haircuts at the local Salvation Army Men's Social Service Center.

- A 19-year-old Chicago boy accused of burglary was sentenced to a county jail program in which he taught boxing to the inmates.

- In Montgomery County, Md., a young man with no previous record drank a 6-pack of beer and accidentally drove into another car, killing a man. Judge stanley Frosh sentenced him to five years probation on the condition that he get a high-school equivalency diploma, keep his fulltime job, attend Alcoholics Anonymous meetings twice weekly and do volunteer work in the local hospital emergency room for three years.

- An attorney for former Maryland Gov. Marvin Mandel has proposed that Mandel serve the rest of his 3-year prison term for mail fraud and racketeering by finding jobs

for former inmates. He would live at home and work without pay for the County Offender Aid and Restoration program.

"I feel an attorney has an obligation from the moment he is appointed to represent the defendant up to, and including, incarceration, if that's the sentence," said Berg, who plans to propose that an amendment specifying that obligation be added to the American Bar Association's Code of Professional Responsibility.

"The attorney's obligation doesn't end with the verdict 'guilty,'" he said. "It's his responsibility to inform the client and the court of alternatives to fashion some sort of alternatives program to present to the judge that might not include incarceration."

In Washington, D.C., the nonprofit National Center on Institutions and Alternatives established Client Special Planning more than a year ago.

"When an attorney feels he has a client who will benefit, he contacts us," said former prison guard Joel Sickler, a spokesman for Client Special Planning. The group tries to make use of a person's skills — sentencing a businessman to provide jobs for the unemployed, or a physican to provide medical care — and they consider the needs of the victim and the community. "All our plans are supervised by the probation office in the jurisdiction of sentencing," Sickler said.

"Society's gain from warehousing human beings only occurs if the person's a danger to society and is going to repeat the crime for which he's committed," said one-time Nixon lawyer Herbert (Jack) Miller, a partner in the Washington, D.C., firm of Miller, Cassidy, Larroca and Lewin. And Minnesota Judge Dennis Challeen said the recidivism rate for former inmates is 27%, while the rate for those who serve an alternative sentence is 2.7%.

## New Game Club Seeks Members

San Quentin's population has an opportunity to master the finer points of what is probably the orient's most popular board game. Hal Womack, a first degree master, and Kyung Kim, three-time US champion, have volunteered their time and assistance to inmates interested in "Go."

Very easy to learn, Go is a skilled game of strategy which is played on a board checkered by 19 vertical and 19 horizontal lines which form a grid with 361 intersections, or units of territory. The players use 181 black and 180 white flat round stones called "go-ishi." Each player, starting with black, places a stone on an intersection. A stone or group of stones can be captured if it can be completely surrounded by the opponent leaving no connected vacant point. Go is also called the "game of surrounding" for this reason. The winner is the player who has conquered the largest territory by establishing a boundary made of his own stones.

Plans are to form a San Quentin Go Association if a sufficient number wish to participate. Please call Bone Walker at 453, or Robert Day at 489, or drop a kite to Walker's attention at prerelease.

COUNT  
2,971  
Wednesday, June 24

# Lower Yard Swamped

By Casey Burke

Well sports fans, more positive news. Our beloved lower yard baseball field has been converted into a swamp. The marsh was cleverly designed by the plugging up of San Quentin's sewer lines by unidentifiable culprits.

Yes it's true, the lower yard doubles as a bacteria infested swamp. It's all part of the infamous Bastille by the bay's image change program.

And what better time than during the bay area's baseball seasonal strike. I mean just because we're behind these walls doesn't mean that we can't participate in these outside events. I mean we're human too, regardless what some people think.

Word has it that the free world baseball teams heard about just how "bad the SQ Pirates baseball team was and stooped to such devious sabotage tactics as plugging up the sewer lines. This resulted in the rupturing of the lower yard sewer main which, in turn, flooded the better half of the lawn area — from the baseball diamond, all the way down to and including parts of Coyote Park.

An official statement from John Campbell, prison spokesman, explained that the plugged up sewer was the result of yep, you guessed it . . . an inmate. Administrative theory is that two plastic containers of pruno, wrapped in a piece of blanket, clogged the works. Some block here sure has some awful big shitters.

The job of deplugging and general line-cleaning was too tough even for the champion SQ plumbing crew — the bulk of which were members of the east block lockdown participation group. And the world famous Roto Rotter team was called in to pave the way for the SQ "slush" fund.

It's surprising that some enterprising prisoner didn't think to bottle the sludge, slap an SQ, two tower label on it and set it on the shelves in the gift shop as "Home Brew."

New Schedule for Handicraft Business

Effective immediately, the following schedule will be strictly adhered to when conducting any hobby business:

Furniture factory workers . . . . .Tues., 6:20-8:20 p.m.

Education department workers .Thurs., 11:30-12:30

Food service workers . . . . .Thurs., 1:30-2:30

Close custody inmates . . . . .Thurs., 11:30-12:30

Others . . . . .Thurs., 8:00

No business will be conducted on Fridays. Ms. Wu will be conducting business for the ranch and the east gate store on that day.

Ducats will be required for hobby shop business. Anyone requiring a ducat for any purpose should call ext. 397 or write to the hobby shop. Include your name, number, custody, and work assignment in any requests for ducats.

Also please be advised that the hobby shop will be closed during the weeks of May 11 and 18.

Visiting Hours

General population (contact visits:)

Wed. - Mon. . . . .8:00 a.m. to 2:30 p.m.

Sat., Sun., Hol. . . . .7:30 a.m. to 2:00 p.m.

Tues. (afternoon) . . . . .1:00 p.m. to 3:00 p.m.

Tues. (evening) . . . . .4:30 p.m. to 7:45 p.m.

Restricted visits (phone visits, hospital, AC, north block, north seg, B, C, and D sections:)

Weekdays (except Tues.) . . . .8:00 to 1:30 p.m.

Sat., Sun., Hol. . . . .7:30 a.m. to 1:30 p.m.

Hospital visits are restricted to immediate family only and are limited to one-half hour in duration.

Hours given are those in which visitors will be processed in; actual visiting terminates from 15 to 45 minutes later.



# Letters

Dear Editor:

Greetings to all from all of us at the House. Just a little summary to let you know what's happening at this special place.

In these past months we have had a fine increase in community involvement in many ways. Our foundation was repaired due to a Foundation grant plus donated materials and labor. A fine man dropped by one day and offered to paint the house inside and out — and donated the paint too! Another volunteer came by and plans to convert our old chicken coop into a play house for the children.

Joy has planned field trips every Thursday for the kids — S.F. Zoo, Mewiok Museum in Marin, Afro-American Museum, Pt. Reyes Indian Village, and many more.

Beautiful plants and paintings arrive weekly due to Margot's caring. Cookies, cakes, and bread are always available, thanks to local merchants.

Our advisory Council fund-raiser in March was a huge success — warm spirit and financially rewarding. So many have cared enough to share their "special something" that The House remains a very unique center of community spirit!

Our love to all!  
— The House Staff

Dear Editor:

I am interested in getting together a congregation to attend services of the Church of Jesus Christ of Latter Day Saints.

All interested parties submit you name and number to the "Morman Mailbox" located in the Chapel library. I will then send this list of interested individuals to the Bishop in this area requesting an Elder's presence at future services.

I will also be talking with the appropriate SQ staff in order to obtain authorization for future Mormon services and an Elder's attendance. I will try for a target date of June 28 for the first service to take place. I will contact all those who signed up and inform them of the specific time and place.  
—George D. Wooley C-3820

Dear Editor:

In the May 15 issue of the News it was said that the library provides services to lockdown units in the form of outdated magazines, newspapers and check-out services on books.

On numerous occasions, the men in Max B have asked for books and magazines and we are told that the library will not give the cell-study school teacher books for us!

It's funny we never see the so-called donated books and magazines that the Inmate Welfare Fund pays for. The men in the lockdown units put a lot of money into this fund, yet we can't get a few old books or magazines to read!  
—Fletcher Max B

Dear Editor:

Because prison conditions are all alike, I don't recall if it was in the San Quentin or Folsom newsletter where I had a letter printed concerning the deplorable situation that allows a prisoner to be stabbed while taking a shower.

Now I read in your June 12 issue that on Michael Haller commits suicide and one Gilbert Quiddam is murdered, both incidents taking place in single cells. It is obvious that no maximum security prisoner is ever secure and I am reminded of saying a rasta friend of mine is fond of repeating: "Nothing changes, everything remains the same."

While our justice system strives (and fails) to protect its citizens on the outside, it disgracefully fails to protect them on the inside. I think if the police had their way they'd probably fence in the whole world (once squad cars are put into orbit, the whole universe).

Bob Marley and the Wailers have left behind some great music and equally great lyrics. Here's one from *Burnin' and Lootin'*, 1975:

"this morining I woke up  
in a curfew  
oh god, I was a prisoner too  
could not recognize the faces  
standing over me  
all dressed in uniforms of  
brutality . . ."  
Best,  
—Carmen Schimizzi

Dear Editor:

This letter is to inform you that Project Jove, Inc., is updating our mailing list for our newsletter. We have added your address to this list. We are also adding a column for institutions to contribute. This column will be entitled "Inside Scoop."

If you know any interested people that can contribute either cartoons, articles, short stories, poetry, etc., please ask them to direct their work to myself at the address below.

Sincerely,  
Kim Hurley, Research Writer  
Project Jove, Inc.  
1196 Broadway  
San Diego, CA 92101

**Editor's Note**—Project Jove was recently acclaimed the number one ex-offender agency in the nation, according to Owen Miller, an employment counselor for the program. Anyone paroling to the San Diego area should write Miller at the above address to obtain informationn on services offered. Also, an information packet is available by calling the SQ News office.

Dear Editor:

In my last letter (SQ News, June 19) I mentioned Carl McQuillon as being a special advisor to the MAC Executive Council. I have since been informed that he no longer serves in that capacity and I apologize for that error.  
—Frank Smith, A-42383

Dear Editor:

In your June 19 issue the SQ Question Man asked for responses to the Warden's proposal regarding searches of employees and officers. Most of the answers were understandable and even reasonable, but the one from Officer Chambliss was not one of those.

For him to insinuate that nonuniform staff are less honest than officers just because they show an interest in the convict's vocational training, schooling, spiritual guidance, and have a friendly word or two for us or about us, does not make them dishonest. I'll tell you what it does make them: human.

Just because his eight years in the Department of Corrections has not, perhaps, been as fulfilling as he would like, that does not give him the right to demean another person's job.

And one more thing. We don't see nonuniformed staff being arrested for trying to steal some undercover cop's drugs. So the officers should clean up their own back yard before they start talking about someone else's.

—Danny Weller, B-89927, 5-D-21

SanQuentinNews

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner . . . . . Warden  
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# Law Column

## Trial by Affidavit Ruled Impermissible

UNITED STATES COURT OF APPEALS  
TENTH CIRCUIT

**Robert Lee Dolence, vs. Dennis Flynn, Sheriff Of Laramie County No. 79-1649**

After examining the briefs and the appellate record, this three-judge panel has determined unanimously that oral argument would not be of material assistance in the determination of this appeal. See Fed.R.App.P. 34(a); Tenth Circuit R. 10(e). The cause is therefore ordered submitted without oral argument.

This appeal is from a judgment dismissing appellant's civil rights action as frivolous under 28 U.S.C. § 1915(d).

In his complaint, Robert Lee Dolence sought money damages for injuries he sustained while in the Laramie County, Wyoming, jail and for injuries caused by interference with subsequent medical treatment at Cheyenne Memorial Hospital in Cheyenne, Wyoming. He also sought a declaratory judgment that the actions of the named defendants violated his civil rights. Flynn is the Sheriff of Laramie County and defendant Enos is a jailer at the Laramie County jail; both were sued individually and in their official capacities.

Dolence contends that in November of 1976 while he was a prisoner at the jail, he was taken from his cell for questioning about an escape attempt. Dolence further claims that in the process he was pushed or kicked down a flight of stairs by defendant Enos. After regaining his footing, Dolence contends that he was struck on the head with a flashlight.

Following questioning, Dolence was transported to Cheyenne Memorial Hospital, where medical personnel recommended his admission for observation and treatment. Dolence claims he was handcuffed to the hospital bed, making his care and treatment difficult. At one point, Dolence's guard drew a gun on the treating physician.

Hospital doctors then recommended that Dolence be transferred to a security medical facility in Denver for further treatment. The next day, however, Dolence was discharged against the medical advice of the treating physicians and immediately transported to the state penitentiary at Rawlins. Dolence contends he has suffered and continues to suffer from headaches, worsening vision and mental anguish.

The complaint included a demand for a jury trial. The district court ordered that trial would be by affidavits. Counsel for Dolence filed a memorandum in opposition to the proposed procedure, but complied by filing several affidavits and hospital medical reports.

Defendants filed an answer and affidavits, generally denying any violation of Dolence's constitutional rights. Defendant Enos denied pushing or kicking Dolence down the stairs, admitted hitting Dolence with the flashlight, but averred that Dolence was attempting to escape at the time. Defendants generally denied interfering with Dolence's medical treatment. Defendant Flynn denies all liability on the grounds that he is not accountable under the doctrine of *respondeat superior* in a 42 U.S.C. § 1983 action.

A hearing was held, at which time counsel for Dolence again objected to the trial-by-affidavit procedure on the ground that the pleadings raised genuine issues of fact. A continuing objection was also made to the denial of a jury trial. Ten affidavits were then read into the trial transcript, along with arguments by counsel. After taking the matter under advisement, the trial court entered findings of fact and conclusions of law dismissing the action.

Two issues control the disposition of this appeal:

1. Did the trial court err in directing a trial by affidavit in this case?
2. Was defendant entitled to a jury trial?

Because both questions are answered affirmatively, we must vacate the district court's judgment and remand for further proceedings.

While affidavits may be useful in determining the *existence* of factual disputes, where crucial issues remain, it is procedurally impermissible to resolve the disputes in this manner. Trial cannot be solely on affidavits. *Collins vs. Hladky*, 603 F.2d 824, 825 (10th Cir. 1979).

The test for determining if an action is frivolous is whether plaintiff can make a rational argument on the facts or law in support of his claim, and this test must be followed. *Collins vs. Hladky*, 603 F.2d at 825.

Among the factual issues unresolved by resort to the pleadings and affidavits are whether Dolence was pushed down a flight of stairs and whether he was in fact trying to escape when defendant Enos struck him with the flashlight. The claimed interference with medical treatment and alleged resulting injuries are also unanswered by resort to affidavits alone.

Dolence also claims it was error to deny him a jury trial. We agree.

The Federal Rules provide that the right of a trial by jury under the seventh amendment or by statute shall be preserved to the parties inviolate. Fed. R. Civ. P. 39(a). See *Christenson vs. Diversified Builders Incorporated*, 331 F.2d 992, 994 (10th Cir.), cert. denied, 379 U.S. 843 (1964). Any party may demand a trial by jury of any issue triable of right by a jury, by serving a timely demand therefor. Fed. R. Civ. P. 39(b).

We find nothing in the statutory provisions of 42 U.S.C. § 1983 precluding jury trials. Indeed, trials by juries in such actions are common and of long standing in this circuit. *Marland vs. Heyse*, 315 F.2d 312 (10th Cir. 1963); *Morgan vs. Labiak*, 368 F.2d 338 (10th Cir. 1966); *Clappier vs. Flynn*, 605 F.2d 519 (10th Cir. 1979).

The applicable test for the right to a trial by jury is whether the issues to be tried are legal or equitable in nature. See *Ross vs. Bernhard*, 396 U.S. 531 (1970); *Beacon Theatres, Inc. vs. Westover*, 359 U.S. 500 (1959); *Dairy Queen, Inc. vs. Wood*, 369 U.S. 469 (1962). In addition,

## Ceramics Class Schedule Change

Lois Wu, handicraft manager, has asked the News to inform the population of the following changes in the ceramics class schedules:

Starting July 6, Gail Caulfield's class will be held on Mondays from 6:20 to 10 p.m. and on Wednesdays from 12:30 to 3:30 p.m.

Beginning July 8, Claudia Tarantino's class will be conducted on Wednesdays from 6:20 to 10 p.m. and on Fridays from 12:30 to 3:30 p.m.

All active members, she said, will be automatically transferred into the newly scheduled classes, provided that students' work supervisors give written permission for afternoon attendance. Wu said she will communicate directly with work supervisors.

## Summer School . . .

Continued from page 1

The San Quentin Bayview Scholl program is based on the number of available students and their custody, rather than on the sharply reduced budget and smaller number of teachers, according to Education Supervisor "Bud" Bolton.

Academic plans assume that the east and west blocks will remain mainline until at least June 1982, that Close A and B custody can attend day-school, and that about 1,200 men will be in SHU, MCU and PHU lockdown.

The cell-study program will continue with about 170 hours of personalized instruction per week.

Bayview's programs help prisoners to achieve the General Educational Development level which, according to Bolton, employers now regard more highly than the traditional diploma. "Education," says Bolton, "is much more than just a piece of paper."

More time to study and Bayview's smaller study units were cited by Bolton as student advantages.

An open-door policy toward students permits flexibility in advising and helping them to achieve widening educational horizons, he said. Study choices at Bayview are based largely upon student suggestion, which Bolton said he welcomes.

[t]he Seventh Amendment does apply to actions enforcing statutory rights, and requires a jury trial upon demand, if the statute creates legal rights and remedies, enforceable in an action for damages in the ordinary courts of law.

*Curtis vs. Loether*, 415 U.S. 189, 194 (1974); see also, *Lorillard vs. Pons*, 434 U.S. 575 (1978).

We agree that 42 U.S.C. § 1983 meets these prerequisites, thereby entitling appellant to a jury trial. *Amburgey vs. Casady*, 507 F.2d 728 (6th Cir. 1974). Other circuits have also upheld the right to trial by jury in § 1983 actions. *Burt vs. Abel*, 585 F.2d 613 n.7 (4th Cir. 1978); *Drone vs. Hutto*, 565 F.2d 543 (8th Cir. 1977); *Carter vs. Estelle*, 519 F.2d 1136 (5th Cir. 1975); *Chapman vs. Kleindienst*, 507 F.2d 1246 (7th Cir. 1974). The case at bar is clearly a garden variety tort action based on the common law of assault and battery.

We are not unsympathetic to the district court's concern that all prisoner-originated § 1983 actions might contain demands for trial by jury. The answer, however, cannot be found in the denial of the right to a jury trial *only to prisoners*. Few causes of action survive the initial screening of claims such that a trial is required. In short, there are other approved methods for managing the plethora of prisoner litigation filed in federal courts. See *Collins vs. Cundy*, 603 F.2d 825 (10th Cir. 1979); *Martinez vs. Aaron*, 570 F.2d 317 (10th Cir. 1978).

To summarize, a trial by affidavits is procedurally impermissible where crucial disputed issues of fact exist. *Collins vs. Hladky*, *supra*. And, when issues presented are sufficiently substantial to warrant a trial, there is a right to such trial by a jury in actions filed under 42 U.S.C. § 1983.

Because of our resolution of the above issues, we need not address the question of defendant Flynn's liability, if any. See *Clappier vs. Flynn*, *supra*. Nor do we express any opinion as to the merits of Dolence's claims.

Appellees' motion to affirm, treated as a memorandum brief in support of their position, is denied. The judgment of the district court is vacated and the cause remanded for further proceedings consistent with this opinion. The mandate shall issue forthwith.

## Graduation Exercises . . .

Continued from page 1

matter of having the right attitude."

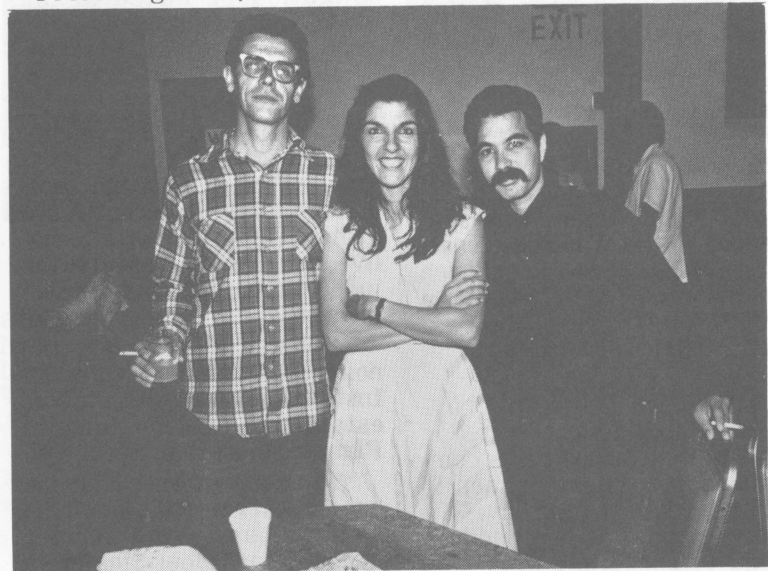
Lofton, himself a graduate of the vocational printing program here, offered his personal congratulations to this year's graduating printers and said he would be eager to help fellow printers in finding jobs upon their release.

Presenting the diplomas and

Many of those unable to attend the exercises this year were close custody prisoners.

Attending the event was Marin County Schools Superintendent Virgil S. Hollis, who expressed his disappointment that so many of the graduates were absent.

"This is part of what they've worked for — a piece of the



A NIGHT TO CELEBRATE their achievements.

certificates was Laurence E. Bolton, supervisor of correctional programs, who later commented that it was an "excellent graduation" and that he was pleased everything went smoothly.

Due to the rising population of close custody prisoners who are not allowed night movement, he said, next year's ceremonies will probably be held in the daytime.

sunshine," said Hollis.

Also in attendance was Joan Lisetor, a member of the Marin County Board of Education, who said she especially enjoys attending the annual event and added that education is invaluable in rebuilding self-esteem and confidence.

The beaming faces of the graduation told the rest of the story.



DIANE HUTCHINSON, DALE CLARK, BOB LEEPER AND DIANE GORDON

## Subscribers Get Bargain

Mailroom employee Helen Cole called the News to voice an objection to our "Subscribers Gypped Again" article in the June 5 issue.

It seems Mrs. Cloe has done some research on prison publication subscriptions and found that out of 40 such publications received here, only one is a weekly and the subscription price is \$7.50 per year.

The truth of the matter is that the San Quentin News is probably the best bargain available and subscribers should not feel "gypped" by the few weekly issues that do not get published. Our headline on that announcement was only in fun.

Prisoners here can purchase subscriptions for \$1 per year by filling out an "Inmate Subscription for the San Quentin News" form at the education department front desk. Allow six to eight weeks for first delivery.

Outside readers may subscribe to the News by sending a check for \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.





LINA VALENTINO

## Fouth of July Variety Plays North Dining Hall

By Casey Burke and Bill Torres

There were a lot of highs and a few lows at the holiday show held in the north dining hall July 4. Rocking sounds from our "house" bands and from the outside entertainers helped to satisfy the always-high expectations of the captive audience. The show can be described in one word: variety.

The show, organized by Abdul Hamed of Rainbow Sign Productions and coordinated through our activities office, was assisted by masters of ceremonies Zarinah Shakir and Bilal Shabass.

Right from the start of the show, the fuse of excitement was ignited by our own screamin' rock and roll band, Fat Cat. They utilized the delayed reaction technique by feigning that they didn't have their act together in the first set, and then blasted out some tunes that had the crowd mystically spellbound.

With a drum solo ala Ginger Baker, keyboard and lead guitar blending in harmony, and a heart-throbbing bass, Fat

Shabass then relieved Shakir as master of ceremonies, but initially established only limited rapport with the audience. Unfortunately, an uneasy feeling carried over to the next act by Robert Womack, a country and western singer in the style of John Denver. The feelings hanging over the audience at this time and the untimely failure of the sound system spoiled the performance. Womack has an easy going style which came through in spite of a failure of the microphone.

The show got back on an even keel with the appearance of the Oakland Ensemble, and refreshing spiritual singing group with an air of innocence. Opening their set of soul-songs,

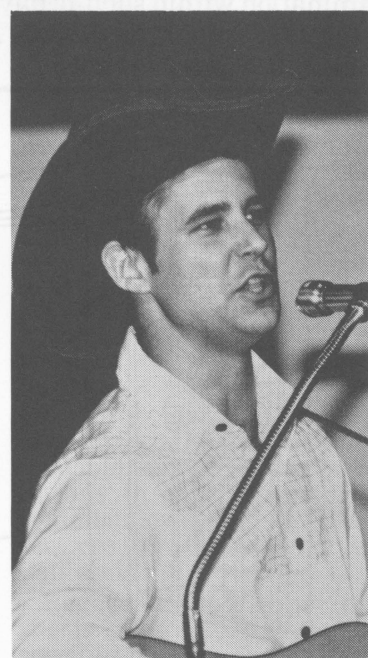


HAMED EXPRESS

Cat brought the crowd to new heights of musical awareness and prepared the audience for the enlightening show that followed.

Blazed revisited the Watchtower and did four other selections. This fast-rising group provided the crowd with some get-down-and-get-funky numbers that had the cons swaying in the ranks.

The crowd, which started with about 300, thinned out to about 100 just before the Jesse Bogdanoff Quartet's jazz artistry took the stage. Providing a welcome touch of class, this San Francisco group was organized from several outside jazz ensembles especially for this show. The four-member quartet, reading from sheet music, played to delight of all the jazz enthusiasts in the audience.



ROBERT WOMACK

ZARINAH SHAKIR they announced, "We come before you today as we come before all our audiences — with God — because we feel that's the right way to do it." The warmth of the group, the bright faces, and the well-timed flute accompaniment all helped to bring something of peace to the prisoners.

Clearly the highlight of the show, a beautiful and talented singer by the name of Lina Valentino brought her group from San Anselmo to play their homegrown talents on a musical trip that started with the hoedown sound of a "Louisiana Saturday Night" and got progressively modern until it achieved the state-of-the-art limits of rock-and-roll-plus.

To say that the group woke up the crowd is a gross understatement, as a definite party atmosphere prevailed all during their performance. Upon completion of their scheduled numbers, the stage hands attempted to draw the curtains closed — only to be met by a wave of pandemonium from the cons. The group was called back for a double encore and were still met with echoes of "More! More! More!"

The Hamed Express came on strong with rhythm and with blues, doing it together with "Love on a Two-way Street"



FAT CAT

and Danny Hathaway's "Wish That Someday We'll All Be Free." The vocals and the sounds were good.

Saved for last were The Brothers of Soul. It is a hard spot to be and only a good group can handle it. The Brothers came through again! The band is a prison product which is bound to make good anywhere. If they can get approval from the San Quentin audience, They can get approval from anybody on earth. Bar none.



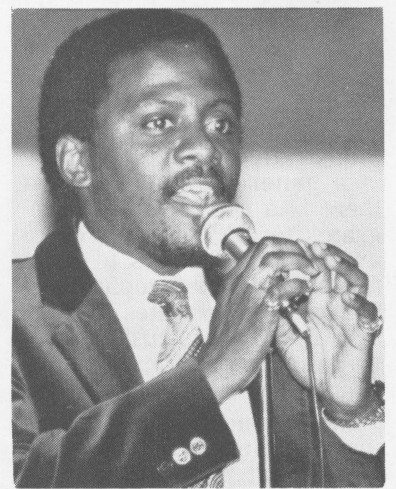
HAMED EXPRESS SINGERS



BOGDANOFF QUARTET



VALENTINO



BILAL SHABASS



BLAZED

Continued on page 4



# San Quentin Question Man

By Casey Burke

Do you feel that there should be more work and educational programs for the close-custody inmates?

**Sam Blan:** "Yes, if it's expected for some of the people in the instituion to succeed on parole as well as in the institution."

**Steve Johnsrud:** "Any program which would give greater challenge and meaning to day-to-day existence would be appreciated. It should also serve to make for a smoother operating institution. Self-esteem would seem to be cost effective in terms of diminished violence from boredom."

**Rodney Raposa:** "I feel that more educational and vocational programs should be offered to give these inmates an incentive to better themselves."

**Fred Schaper:** "Yes. Idle hands are the devil's workshop."

**Jose Ramirez:** "I most certainly do. I feel that more work and school programs for these inmates would benefit everymne involed — staff and inmates alike. If you occupy a mind with learning, it will have less time to dwell on negative thoughts."

**Ron Anderson:** "Yes. There should be, for the simple fact that most close-custodies have a life term and they need these programs to occupy their time."

**Joe Ramsey:** "The attitude of the administration not caring about us close-custody inmates has influenced me. They've got me to the point of not really caring about any of these programs."

**Randy Cook:** "I think the programs are not at all together and I have no interest on them."

**Rodney Jefferson:** "Yes. We need programs that will hold our interest."

**Rick Fowler:** "Yes — and for the lock-ups units and mainline as well. Idleness produces boredom and boredom can lead to violence."

**David Cochran:** "Yes, I sure do. I used to work in the hospital and really like the job. I got along well with staff and my fellow convict workers. Then the warden had me pulled out of my work assignment just because I was a Close-B inmate. So I fell that if the administration wants us to work it should expand the work program."

**C. M. Boyett, east block administrative assistant:** "There is a general consensus that there is a need for more programs for all inmates. There are constant efforts to meet this need, without jeopardizing the safety of inmates and the institution. Close-custody programs are a specific need for C Unit personnel. We will listen."

**Keith Arnold:** "Hell yes. If they had work and school programs that paid a guy a few dollars, you'd have to beat them off with a stick. They pay those guys out on the streets to go to school and trade centers. Let's get some of those federal funds for vocational and educational programs in here. Hey, they lock us up and get us out of the way for forever-and-a-day, saying that because we didn't know any better we got into trouble. Well, dammit, teach me a better way — I'm all for it."

**E. Sollis:** "Yes. Since the prison is becoming a lockdown joint, it seems within reason that there should be enough academic programs to occupy

the inmate with a lot of idle time on his hands."

**Jeff Elkins:** "Yes. I fell that there isn't enough programs for the closed-custody inmates. We should have as many different academic classes and vocational programs as possible so that we may utilize our time constructively."

**George Remington:** "Yes. If you offer them during the day so colse-custody can take advantage of them. A lot of the beneficial programs are at night. A lot of good that does us."

**Peter Jensen:** "Yes I do, because with all this time I've been given, I'd like the chance to put it to constructive use to better myself."

**Jim Wiles:** "I believe that a lot of the close-custody inmates enjoyed going to school. Then they cut out what few programs they did have, leaving these inmates nothing to do except sit a round and do nothing with their time."

**William Johnson:** "Yes. These programs should command a higher priority than the acquisition of more guards. If the administration would place more emphasis on preventive programs that give a man an alternative to illegal activities, rather than more measures that promote prison unrest, we'd all be better off in the long run."

**Randy Gentry:** "I feel that close-custody inmates should be allowed to work if they find themselves a job, regardless of where it is within the walls. As it stands now, the prison administration discourages and actually deters inmates fom working."

**Robert Bowman:** "I surely do, because they are badly needed. Constructive utilization of these large amounts of time are being handed out these days it is the only positive response. Believe it or not, there are some fine, creative minds here. Give them a chance to enhance themselves."

**Tim Hansen:** "Yes I do. They are much better answer to doing time than being slammed in your cell all day long. If left to your own thoughts in this hostile enviroment, it will serve to breed contept for the society thah locked you up. Teach me not to hate."

## Former Guard Files Suit

OAKLAND — A former San Quentin Prison guard is suing the state for more than \$600,000 for breach of contract.

Johnny Ray Gibbs of Vallejo, who quit his prison job in March 1980, contends in a suit filed in Alameda County Superior Court that negative information given out by prison officials to prospective employers has kept him out of work for 15 months.

Gibbs claims he had an agreement with Warden George Sumner that if he resigned voluntarily no "negative information relative to (Gibbs') employment" would be disclosed outside the Department of Corrections.

Gibbs accuses San Quentin of informing the Federal Correctional Institution the next month that Gibbs was fired because he was suspected of smuggling drugs to inmates, charges which Gibbs denies.

The suit claims that this information cost Gibbs the guard's job he had gotten at the federal facilitiy, and he has been unable to find employment since.

# Court Explains Visiting Order

Judge Wilson of the Marin Superior Court ruled *In re Stone*, case number 101069, that "the clear input of the French decision (*In re French*, 106 CA 3d 74) is that anything more than requiring body searching of visitors who have refused a body search is not necessary to the institution's security."

The attorney general asked for reconsideration of the court's opinion arguing that a body search is not foolproof. As a result Judge Wilson issued a memorandum and minute order addressing the substance of the attorney general's and the SQ warden's arguments.

"Admittedly, a body search is not foolproof, but neither then is a non-contact visit. In fact, it is a reasonable inference from the warden's own testimony that a non-contact visit is less secure, because of the very real possibility that contraband may be hidden in some prearranged place on the premises," wrote the judge, and, "The only foolproof method of preventing smuggling by visitors is to forbid all visiting. Not only would this be contrary to law, but I am convinced that such a measure would be abhorrent to the administration. As I have remarked in the past, the present prison administration has distinguished itself by its efforts to increase and liberalize visiting privileges in many areas."

Prison visiting is not a privilege but a right which is guaranteed by California Penal Code provisions. Section 2601(d) recognizes prisoners' rights "To have personal visits; provided that the Department may provide such restrictions as are necessary for the reasonable security of the institution."

"Nevertheless," the judge continues, "the prison rules in this area must conform to the standards set down by the legislature and the courts. It has been clearly stated that these standards require rules which impose the least restrictions consistent with the governmental interests to be protected."

"I am somewhat puzzled over the attorney general's concern as to lack of clarity. It probably reflects pride of authorship, but I thought my holding was crystal clear. I stated that the prison authorities may require a body search of anyone suspected of carrying contraband; that a person refusing such a search may be turned away; and that in the future any such person may be required to submit to a body search before being allowed to visit. I further stated that the prison authorities may not limit a person who consents to a body search to a non-contact visit simply on the basis of a prior refusal."

## San Quentin News

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

Inmates may send the San Quentin News for \$1 per year to persons outside by obtaining and filling out a special San Quentin News order from the education department. Persons outside the institution may subscribe to the San Quentin News for one year by sending their name and address, along with \$2 to the Accounting Office, California State Prison, San Quentin, CA 94964.

G. W. Sumner ..... Warden  
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# Law Column

[Crim. No. 21664. First Dist. Div. Two. Apr. 22, 1981.]

In re JOSEPH WILLIAM AXTELL on Habeas Corpus.

## Summary

After judgment on a nolo plea in a criminal prosecution, defendant petitioned for relief in the Court of Appeal by writ of habeas corpus, alleging that his prison sentence was unlawful because it was based on a personal letter obtained in violation of his constitutional rights. While in jail defendant had written a letter to a friend, in which he indicated that he had committed the crime for excitement and money. The court held that use of the letter at sentencing did not deny defendant his right to privacy, his right to be free from unlawful searches and seizures, or his right to counsel during the sentencing stage. The court denied the writ. (Opinion by Taylor, P. J., with Rouse and Mill, J. J. concurring.)

## Headnotes

Classified to California Digest of Official Reports, 3d Series

**(1a, 1b) Penal and Correctional Institutions § 13 — Prisons and Prisoners — Control of Correspondence — Right of Privacy — Unconstitutional Censorship — Use of Information in Sentencing.** — A prisoner has no expectation of privacy as to letters posted by him unless the communication is a confidential one addressed to an attorney, court or public office. Thus, in sentencing defendant after a judgment on a nolo plea, the trial court properly considered a letter written in jail by defendant to a friend, in which he indicated that he committed the crime for "excitement and money." Interception and use of the letter denied defendant neither his right of privacy nor his right to be free from unnecessarily broad censorship. Moreover, defendant failed to meet his burden of showing that inclusion of the letter in his probation report was prejudicial.

[See **Cal.Jur.3d**, Penal Correctional Institutions, §§ 90-93; **Am.Jur.2d**, Penal and Correctional Institutions, § 47.]

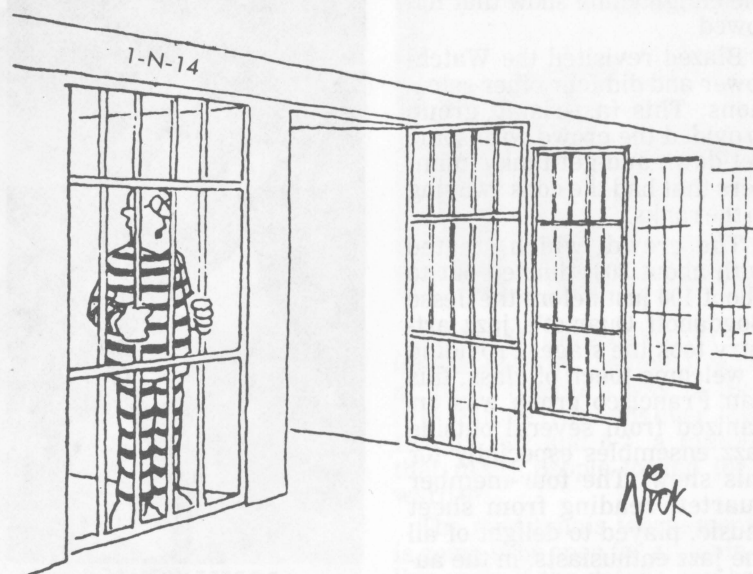
[Civ. No. 50951. First Dist., Div. Two. Mar. 18, 1981.]

RONALD K. CARRAWAY, Petitioner, v. THE SUPERIOR COURT OF THE CITY AND COUNTY OF SAN FRANCISCO, Respondent; THE PEOPLE, Real Party in Interest.

## Summary

Defendant was charged by information with malicious discharge of a firearm in violation of Pen. Code § 246. The magistrate did not hold a preliminary examination within 10 court days from defendant's first arraignment as required by Pen. Code, § 859b, when a defendant is in custody, and defendant did not waive his right to that hearing. Defendant did waive his right to a preliminary hearing within 10 days after his second arraignment. Defendant filed a motion to set aside the information on the basis that his preliminary examination was not held within the mandatory time limit. The trial court denied that motion.

The Court of Appeal issued a peremptory writ of prohibition restraining the trial court from taking any further action in the proceedings against defendant. The court held that the trial court exceeded its jurisdiction by proceeding with defendant's trial when his preliminary examination had not been held within 10 court days of his first arraignment and he had not waived his right to the preliminary hearing at the time of his first arraignment. The court held the mandatory right clearly attached since defendant was in custody "at the time of such [first] arraignment . . . and . . . [did] not personally waive his right to preliminary examination within such 10 days," within the meaning of the statute. (Opinion by Rouse, Acting P. J., with Miller and Smith, J. J., concurring.)



Hey, Lou, the big break's tonight. Pass it on.



## More Useless Facts

By Casey Burke

For all our trivia fans out there, the News has compiled the following useless facts for your reading pleasure. These facts and tidbits of information were taken from the "Grab Bag" section of the *San Francisco Chronicle*, "The Curious Book" and "Bits and Pieces" pamphlet of horse sense about working people.

- Automobiles are put together from individual parts. When a car reaches the end of the assembly line, over 13,000 parts have gone into it.

- One-half of the wheat and one-third of the cotton that is produced in the U.S. is sent to other countries.

- Soups are made from bird's nests in China. Certain swallows build their nests out of a class of seaweed, which we call agar-agar. This seaweed is nutritious and the Chinese take these nests and use them to make flavorful soups.

- Tact is the art of making a point without making an enemy.

- People all over the world have different ways of identifying themselves. There is a Luo tribe in Kenya that does it this way: the members of the tribe take out six lower teeth in the front of the mouth.

- In France, they call wine "the milk of the aged." It is part of the daily diet of old people in certain sections there, and seems to help them survive. In the Bordeaux wine region, for example, they have twice as many people who are in their 80s — per 100,000 population — as in the whole rest of France.

- There are limitless opportunities in every industry. Where there is an open mind, there will always be a frontier.

- Everything is moving south, it seems, including the Sahara Desert — at the rate of 3½ feet per year.

- The smaller the town, the more likely a householder will have a gun handy for protection.

- The hotline between Washington, D.C., and Moscow isn't a red phone. It's three teletype machines in a little room. Insiders call it the "Molink."

- Those who bring sunshine to the lives of others cannot keep it from themselves.

- In certain parts of West Africa the natives prefer to buy things that are wrapped in colorful paper. Thus there is a company that buys colored comic sheets in New York City and sells them to trading posts in the jungle. The colorful comics on the packages actually boosts business.

- The "Midnight Sun" creates really unusual conditions in lands that lie north of the Arctic Circle. In northern Finland, for example, in mid-summer, there is constant daylight for 24 hours each day—for 73 consecutive days.

- That "tin" can that is so much a part of our lives today is actually between 98 and 99½ per cent steel. The steel strip or sheet is only thinly coated with tin. More than half of the world's production of tin cans, by the way, is made and used in the U.S.

- The game of dominoes is so popular in Venezuela, it is considered the national pastime.

- You may drink a cola and enjoy it, but in Africa they chew it. A "cola" is the seed of an African tree which is rich in caffeine, and so it has a stimulating effect when chewed.

- One thing common to most success stories is the alarm clock.

- There is a four-word formula for success that applies equally well to organizations or individuals—make yourself more useful.

## Sale of SQ Opposed

By Vic Pollard

Gannett News Service

SACRAMENTO — The prospect of tearing down San Quentin Prison or selling the site for private development is becoming less likely, officials conceded early last month.

The rapid growth in California's prison population and the state's fiscal crisis make it unlikely that the state will have enough new prison cells in the foreseeable future to do without the Marin County institution, they said.

A proposal to sell the prison site drew strong opposition from bay area legislators and representatives of prison reform groups from Marin County and other areas.

The occasion was a hearing by the Assembly Ways and Means Committee on Governor Brown's proposal for a ballot measure calling for ¼-cent sales tax increase to build new prisons and finance more local law enforcement services.

The legislation contains a provision, backed chiefly by its author, Assemblyman Terry Goggin, D-San Bernardino, to sell San Quentin and use the money to help finance the prison construction plan.

"San Quentin sits on one of the most valuable pieces of property in the state, and I believe we can offset much of the cost of constructing some of these new facilities by selling it," Goggin said.

Assemblyman Art Agnos, D-San Francisco, disagreed sharply. "If you want my vote," Agnos said, "you're going to have to remove the sale of San Quentin. I think it's a terrible mistake to sell that site."

Goggin may be forced to make the amendment. So far, Assembly Republicans are united in their opposition to the legislation, the cornerstone of the Democratic governor's anti-crime program, and he will need every Democratic vote he can get (and some Republicans as well) to put the financing measure on the ballot.

Jan Marinissen of the American Friends Committee said the location "is the best possible site for a state prison."

He said it is close to the homes of many of the prisoners, as well as many of the volunteers in the bay area communities who provide services to both the inmates and their families.

He also said the prison draws valuable services from institutions in the surrounding communities such as medical services from the University of California.

Regardless of whether the site is sold, a 1978 state law specifies that San Quentin will be torn down when enough maximum security cells have been built to replace it. It is the

## Phantom Diner Writes Again

By Phantom Diner

Once again, fellow cons, the Phantom Diner is back with you to review the week's culinary triumphs and disasters. This week's observations cover June 27 to July 3.

Breakfasts were interesting, to say the least. Most of the week, the diced potatoes were served rare and crunchy. They would have benefited greatly from another half an hour's cooking. The eggs on July 2 were so strong smelling that only the brave got them down. The stewed apples, on the other hand, were a winner. The less said about the strained prunes, the better. Bring back the figs, guys. On the mornings when dry cereal is served, one is forced to choose between sugar in the coffee or sugar on the cereal. One spoonful; no use sniveling.

Lunch, although it isn't supposed to be a main meal, had the best treat of the week. Friday's lasagna was "screaming." Let's have that on a regular basis. It shows what can be accomplished when someone in the messhall puts his mind to it.

Several times this week punch was served, and not just written on the menu. Unfortunately, the folks at the back of the line had to drink it out of soup bowls, but it was appreciated anyway.

Supper, I'm afraid, is going to receive mixed reviews.

Any week without liver is a good week, and the Polish sausage is much better now that it's no longer being cremated. The hamburgers looked a little scary, being burned black on one side, but didn't taste all that bad — if your nerve held out.

Unfortunately, the messhall seems to be trying to speed up the line by having about half our issue already sticking to the trays when we get them. What's become of our expensive new dishwasher?

Also, the cooks don't quite seem to have mastered the art of preparing instant mashed potatoes. Remember men, when all else fails, read the instructions. We were blessed twice this week with chocolate pudding. I mean, why would anyone steal sugar?

More next week, and we'll continue to call 'em as we see 'em.

oldest jail in the state prison system. Long plagued with violence, officials say it is virtually unmanageable.

In line with the law, the Department of Corrections' master plan for new prisons calls for razing most of the structures and replacing them with a new correctional medical facility and a reception center for northern California inmates entering the prison system.

But department chief Ruth Rushen says that is beginning to look like a pipe dream.

The director said it doesn't look like that is going to be possible in the near future, just because of the population and economics," said department spokesman Philip Guthrie.

Rushen told the Ways and Means Committee last week that the state's prison population is growing at the rate of 97 new prisoners a week. At that rate the state needs a new 500-bed facility every five months.

When Brown presented his prison construction plan on statewide television earlier this year, he used prison population projections for the future and assumed that San Quentin would remain in use.



PAVING PROJECT on lower yard.

## Paving Project On Lower Yard

By Casey Burke

There are some strange happenings occurring on the lower yard. Large earthmoving machines and huge piles of rock have been brought in by an outside contractor and are now occupying the area where the old sash and blind building once stood.

In search of the true story behind these strange happenings, the News learned that it was not alone in not knowing anything about this matter. Several administrators had no idea whatsoever, why the work was being done or what was planned there.

Upon notifying prison spokesman Mike Madding the wheels of information gathering were put into action with the following report as a result.

The dirt rubble area that runs the width of the lower yard in front of receiving and release and the ID department is being paved in fulfillment of the original contract for the removal of the old sash and blind building in 1979.

Madding said that the paving of this area is for security reasons. Left unpaved, he said the area provided a "stash" place

for the burial of weapons and drugs.

This area is now definitely secure. Not only is it paved, it is also under watchful eyes of five gun towers, the gunrail of north block and the lower yard officers — not to mention various officers peering out of receiving and release, the ID department and the education buildings.

The other reason for the paving, said Madding, is that this area is a quagmire in rainy weather. The paving will hopefully serve to eliminate this problem.

There are rumors floating around that this area will become a recreational area, replacing the tennis, handball, and volleyball court that were eliminated from the lower-lower yard in order to make way for the family visiting trailers there.

Madding said there are no plans at the present time to construct anything on this paved area. He did say, however, that if more money is appropriated for recreational use, it will most likely be used to expand the athletic facilities of the lower yard.

## 'Gyp Sea' Launched On Lower-Yard Pond

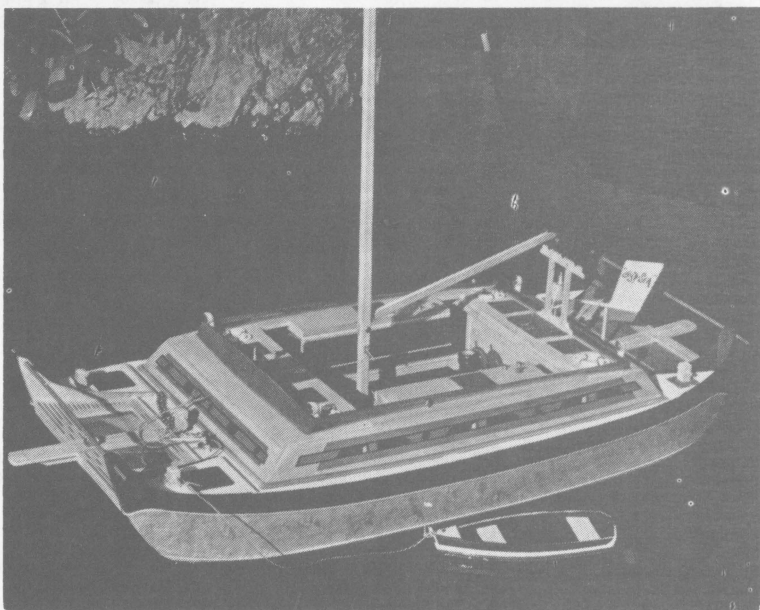
By Casey Burke

Last Monday was a proud day in the life and times of Dennis Stanworth. The diligent application of his hobbycraft talents made its debut on the gently rippling waters of the pond in Coyote Park.

On this day, the "Gyp Sea" — named by Stanworth's new bride — was launched on her

life," said Stanworth. "I have studied boat design and I'm self-taught (while here at SQ) on how to build and design boats. The model was a learning experience so I'd know what changes will be needed on the full size 'cat'."

The proud event drew a curious crowd of onlookers from the early morning lower-yard



The GYP SEA on her maiden voyage in the Coyote Park Pond.

maiden voyage. The "Gyp Sea" is a scale model of the 42-foot catamaran Stanworth will build upon his return to the streets.

Stanworth designed the plans for the boat from scratch. The detail on the craft is mind-boggling, with the removable hatch covers, beds, galley, and detailed living quarters. The ship even boasts a scale model dingy.

"I've loved boats and the sea ever since I was a small boy, and have wanted a boat all my

cruisers, industries staff and inmate workers on their way to work. Several of the observers marveled at the detail and magnificent craftsmanship. One onlooker, Robert Endy, commented, "The ship would be even more beautiful if it were bigger and on the bay with me aboard."

The model has since been sent home to Stanworth's new wife and son, so that they may get a closer look at the type of boat they will be living on some day in the future.







# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 27

TAMAL, CALIFORNIA 94964

Friday, July 24, 1981

## Series of Incidents Break Relative Calm

A series of recent incidents, resulting in injuries to numerous staff and prisoners alike, broke several weeks of relative

quiet here at San Quentin.  
July 22

Carson Section

A melee between staff and

prisoners on their way to the Carson Section yard July 22 appears to have been a spontaneous eruption and not a planned assault on staff, according to prison spokesman Mike Madding.

The 9:25 a.m. incident resulted in injuries to 16 staff members and prisoners.

Triggering the incident, said Madding, was a routine search of one prisoner during which a partially smoked marijuana cigarette was found. The prisoner then attempted to get the cigarette out of the officer's hand, he said, and a struggle ensued.

At this point, said Madding, approximately 20 prisoners rushed an open gate, a warning shot was fired by a gunrail officer which brought additional staff, and a brawl began.

Following another five warning shots, seven rounds of birdshot were reportedly ricocheted into the fight. Nine staff members received minor injuries, including two who were hit with birdshot. Of the nine prisoners actually involved in the fighting, seven received major birdshot wounds.

The remaining 26 prisoners on the yard at the time were returned to their cells without incident.

### Donner Section

About a half hour previous to this incident, a Donner Section prisoner attempted to strike an

Continued on page 4

### — Correction —

In our July 17 issue, we ran an announcement that Tuesday afternoon visiting would terminate at 3:30. This information was in error.

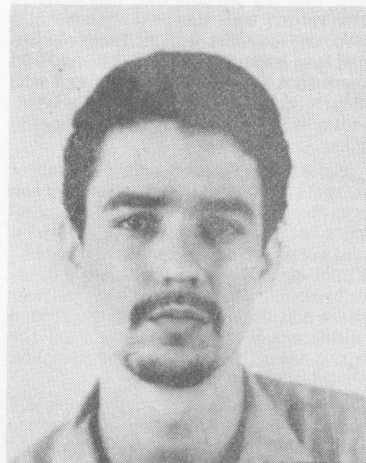
As brought to our attention by Officer T. L. Hagan, visiting staff are scheduled to begin clearing the visiting room at 2:45 on that day, with the official end of visiting being at 3 p.m.

## Fatal Assault In Prison Gym

A young east block prisoner died within minutes after being assaulted in the gymnasium July 16.

Victor Meza, 23, from Los Angeles County, died as a result of one stab wound to his middle abdomen, said Information Officer Mike Madding.

Madding said that Meza approached a gym officer at 9:37 a.m., bleeding severely from the abdominal area. The officer



VICTOR MEZA

immediately sounded an alarm and Meza was transported to the prison hospital for emergency treatment. The victim was pronounced dead at 10 a.m.

Madding said one suspect had been identified, placed in security housing and will be referred to the attorney general's office for possible prosecution on a murder charge.

A 10-inch prison made knife was found at the scene of the stabbing.

Movement on the yard was frozen, immediately following the incident, and east block prisoners were returned to their housing unit for a short time, but no general lockdown of the prison was ordered.

Madding said preliminary investigation indicates the stabbing may have been street gang related and was not racial.

Meza was received here last October on a six-year term for voluntary manslaughter and was due to parole two years from the date of the incident.

## New Visiting Procedure Takes Effect Aug. 3

The new visitor processing procedure—involving the use of visitor application form CDC-106—is scheduled to take effect Aug. 3, according to J.R. Depue, visiting lieutenant.

Under the new procedure, all first-time visitors will need to be preapproved by mail. No longer will prospective visitors be allowed to make application at the east gate.

Prisoners who wish to have a visitor approved must send that person a CDC-106 form, available from housing unit counselors. Applicants should then fill in the required information and return the form by mail to the Visitor Processing Center.

It may take two or three weeks to process an application. Once a decision has been made to either approve or deny the application, both applicant and prisoner will be notified in writing, said Depue.

The Men's Advisory Council visiting director should be contacted if problems arise in processing time, he said.

The new procedure would apply only to new, first-time visitors who are not already approved to visit. Visitors who have been approved at another institution need not apply again here at San Quentin.

Before being allowed to visit, the new visitor must bring the approved form and proper identification (e.g. California Driver's License or ID card, military ID, passport, or other such identification bearing the person's photo).

The new CDC-106 forms pertain to visiting only—not to correspondence. Although the form advises the applicant that "If you do not return this questionnaire, we may assume that you do not wish to visit or correspond," this statement is misleading. Prisoners should advise their friends and family that no approval is needed to correspond.

Also, according to other sources, there seems to be some question as to the legality of asking applicants if they've ever been arrested, but we have no verifiable information at this time. A possible source of verification may be the 1974 Privacy Act.



# Letters

Dear Editor:

I read the recent SQ News article about family visiting and all that has been done to make it more comfortable while visiting. It was a nice portrayal of those attempts. I just had a back-to-back visit with my parents and younger brother. Let me tell a few things that happened.

I was told that with my having a back-to-back visit, I would have from 3 p.m. Sunday until 11 a.m. Thursday. Not so in my case. On Tuesday at about 11 a.m. the family visiting director, Mrs. Lee, told my parents they had to leave and return with the next visitors at 3 p.m. My parents left all their clothes and food behind, after Mrs. Lee had told them that I would tell the convict who cleans up the trailer that I had a back-to-back, so he wouldn't have to do anything.

Before the visitors were even out of the gate, the special security squad ran into the trailer area yelling at the convicts to "stay away from the trailers, and get down to the shakedown shack!" I informed the squad that I had a back-to-back, but they told me to "get over there and sit down." I sat on the ground under Six-Wall while I watched the squad enter the trailer to search inside, outside and under it.

Two hours later, when they finished, I asked for, and was given, permission to return inside. When I entered, I saw that everything that had been in boxes was scattered across floor of the living room and kitchen. Food that had been in the refrigerator and freezer was out on the stove-top and on the table. The remnants of a half-gallon of ice cream had been dug up and things were just a mess.

I want to go on record that it was I, not my parents or younger brother, who was convicted of a crime, and to say that the disrespect they showed me and my parents was wrong.

I have made this problem known to the visiting lieutenant and the coordinator. They assured me that the things which happened to me would not happen to anyone else.

My question is: Why did it happen to me and my family? The answer won't lessen the hurt or anger that I have. As long as I have been doing time, the visiting areas, and especially the family visiting areas, have been neutral ground. Why was this violated?

If we allow the squad to intimidate our families, eventually we won't have families that will come back to visit. I, for one, know what kind of hurt it is when my mother said that they will never come back to visit because of the way that they have been mistreated. 'Nuff said.

—Baggs, C-11711

Dear Editor:

Just a note to say that I really enjoy the SQ publication. When I was first informed that it was being sent to me, I had doubts as to the type of articles which would be printed. How wrong I was!

The articles are excellent, very informative and well written. Congratu-

lations to you and your staff and keep up the good work.

Sincerely,

Gwen Lawson,  
A mother-in-waiting

Dear Editor:

I am a new lifer at SQ having a really hard time finding out any facts about my "retirement resort."

I feel there is a great need for a special edition of the San Quentin News which introduces a new-comer to rules, regulations, customs and traditions of this prison. There is really no way of getting any of these explained by the guards who have no time to attend to anything but the most critical, violence-accompanying matters. On top of that, it appears that no two guards agree on any rule that may exist here. The warden of this prison seems to be complaining about a "new breed" of inmate. It appears to me that this prison is also dealing with a "new breed" of administrators—those who don't know where their head is at, and those who are not in touch with anything that is real in this prison.

M. Kurbegovich, C-23700

Dear Editor:

I would like it to be known to Mr. D. P. Carey, food manager, and Mr. R. H. Adler, supervisory cook II, that the majority of the time, the substances that are fixed rather than prepared for those of us in the Adjustment Center are in fact cold, uncooked, spoiled and unfit for human consumption.

This situation isn't something that can't be dealt with from within the kitchen. I'm not served three regular meals a day, so I can't comment on the noontime meal, but I can say something about the daily cheese spread that seems to find its way to our food ports.

It would appear that there could be some variation in the sandwiches, instead of lunch meat and cheese spread every single day. It is quite evident that in theory the menu would suggest a balanced diet, but in reality it lacks merit and needs further consideration.

I feel that this is a just and valid complaint. I would appreciate it if something could be done to resolve this matter to suit everyone concerned. Thank you.

— Richard W. Johnson, B-60372

Editor's Note—We phoned and talked to Adler on this (Carey no longer works here and Adler is presently acting as food manager) who denied that the food could be "spoiled and unfit," and insists that each meal is prepared fresh.

As far as the food being served cold, he said there is no reason that it shouldn't be kept hot and that he will find out what the problem is and correct it.

Regarding the sack lunches, Adler told us he is looking into the possibility of getting something like potato chips to add to the lunches, but that to his knowledge, the sandwiches are prepared fresh. Adler said he was not sure what you meant about the cheese spread, but that he would investigate the matter.

If problems continue, you should send a CDC/MAC-402 form to the MAC, who might better handle the situation.

## Printing Problems; News Issue Missed

Due to the absence of printshop instructors Joe Stocker and Bill Little, the San Quentin News was not published July 24 and we may experience further difficulties over the next several weeks.

The warden's office has issued no official statement regarding Stocker's absence and education supervisors have explained only that it is "a personnel matter."

Little is reportedly on medical leave due to a back injury and is not expected to return for several more weeks.

At the present time Ira A. Beal and Eldreadge Wright, vocational instructors from other areas, will be supervising the printshop. With neither of these men being knowledgeable in the printing trade, they will be relying on the vocational printing students to maintain production.

The News expects to retain some priority status among printing jobs, but we will probably have to resort to a half-issue size for awhile.

## Law Seminar Set for Sept.

A special law seminar, to be presented through a subcommittee of the State Bar Legal Services Section, is scheduled to be held Sept. 25 in the Garden Chapel.

Attorney Gayle Guynup, representing the Committee on Legal Services for Prisoners, will be conducting the seminar, according to a bulletin issued by J. E. McHenry, senior librarian here.

The committee deals especially with matters in criminal appellate law, postconviction remedies, civic law, family law, and law pertaining to social security, and veterans' benefits.

Committee representatives have successfully presented their program at various other state prisons and Youth Authority institutions around the state.

To attend the 8:30 to 11 a.m. session, sign up as soon as possible at the law library. Participants will be educated for the day of the seminar.

## Prisoners' Input Needed in Survey

The San Quentin News will soon be conducting an educational interest survey in an effort to find out what prisoners want in the way of meaningful work and educational programs.

Focus of the survey will first be directed towards those prisoners in the east block, which would more represent the median population. We are particularly interested in the views of the younger prisoners who have lengthy sentences to serve.

This survey was initiated in the belief that prisoners can provide valuable input toward the design of beneficial programs. We intend to publish the results of the survey here in the News.

Gregory LeRue, a member of the Student Advisory Council, has offered his assistance in the task of doing the actual survey. He will be asking the help of Sate and MAC members. Hopefully, there will be a number of us out on the tiers soon, getting the information and talking with prisoners.

For the purposes of authenticity, prisoners' names and numbers are requested, but not absolutely necessary. Other information (e.g. age, custody, and sentence) will be asked solely for the purpose of grouping perspectives. The more information we get, the more credible the results will be.

The survey was put together quickly, thus some of the questions may be confusing. The most important part, however, is the prisoners' comments. We are asking everyone to take this opportunity to voice his own concerns.

## San Quentin News

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin, CA 94964.

The opinions expressed herein do not necessarily reflect those of the administration, nor the inmate body, and should be considered solely as the opinion of the individual author unless otherwise specified.

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**Prison Law Office**

# Legal Assistance For SQ Prisoners

By Bill Torres

The Prison Law Office (PLO) is a privately-funded, non-profit organization which seeks to protect the rights of prisoners and improve their conditions through legal means. PLO assists prisoners directly, trains certified law students and works with jail-house lawyers to help prisoners.

On New Year's Day, 1976 Paul Comiskey and Mike Sattris, two young attorneys from UC-Davis, started the PLO on a shoestring of welcome funds from local foundations such as Catholic Social Services. Their office was a converted hot dog stand outside the joint.

Since those days, Comiskey moved to the Prisoner Union Law Office, new sponsors such as the San Francisco Foundation gave PLO needed assistance, and PLO relocated to modest but nicer quarters in San Quentin Village.

Donald Specter, from the University of San Francisco, joined Sattris two years ago. They now have a staff consisting of two legal secretaries, two paralegals, and a dozen other workers including certified law students. Some of the staff is bilingual to assist Spanish-speaking prisoners.

The PLO Board of Directors includes one prisoner, Cornell Webb, who with the Warden's approval has attended PLO Board meetings, but Cornell is now assigned to the Ranch dormitory.

There probably are quite a few legal experts and paralegals behind the walls and, according to Sattris, prisoner involvement is welcome. The experience would be beneficial for the prisoners involved and their employment opportunities would be enhanced.

Sattris hopes that eventually the idea of the PLO will grow to serve all California prisons and county jails. The California Prisoners' Legal Service, which served CIM-CIW at Chino, was discontinued about a year ago when their federal

subsidies were discontinued. PLO work is free of charge to prisoners or *pro bono*. Their operating funds come from foundations and occasional attorney fees awarded by the courts, rather than from governmental grants.

In the beginning, the PLO was assisting prisoners with divorce proceedings, but the heavy workload was interfering with PLO's primary function which, Sattris says, is to alleviate the condition of the prisoners confinement inside and to assist them with civil problems outside. The PLO, with the Warden's consent, helped to set up the prerelease divorce clerk position.

PLO provides no assistance on collateral attacks or appeals from criminal convictions. Most of their work deals with petitions for writs of mandate and habeas corpus proceedings, Civil Right Act suits (Federal Title 42 USC 1983), and limited numbers of cases dealing with property loss, where the value in question is worth the litigation involved.

A *Manual for California Prisoners* is being prepared and Sattris said it may be finished by the end of this year. They need a sponsor to print it.

According to Sattris, "The PLO staff would like to reestablish communications with SQ staff at all levels. As it is now, we are referred to the deputy warden who sometimes is very busy, or away. PLO cannot even get a prisoner's number for correspondence purposes, or help prison staff with such simple matters as time calculations."

"Prison law," confided Sattris, "is the lowest paying work in the legal profession, but it gives PLO staff a deep sense of satisfaction to know that we are bringing legal services to those who need it most."

The PLO would like to set up legal clinics and seminars where legal problems can be discussed with the prisoners, but there seems to be some resistance from the Warden's of-

## Job Opening For Reporters

The San Quentin News will soon have openings in its staff. In striving to build the News as a responsible and objective publication, we are seeking the following criteria in reporters.

A good reporter should be an outgoing and open-minded individual, free enough from personal biases so as to enable him to gather factual information. He should be able to write clearly, fairly and without distortion by his own personal feelings. We cannot overstress the need for objective reporting.

He must have working command of the English language and be readily adaptable to the journalistic style of writing and reporting. A short, concise approach is *much* preferred over an abstract, flowery style of writing. Ability to use a typewriter is also essential.

To be out front, working for the News is no kick-back job. It is a seven-day-a-week position and the pay is lousy. Outside the scope of our jobs, we have no "juice" or special privileges.

What the News offers, however, is a chance to learn and practice the fundamentals of journalism, as well as an opportunity to become responsibly involved in the issues that affect our lives.

Full-time positions must have Medium A custody or lower in order to have access to the industries complex and printshop.

We are also looking for two part-time close-custody reporters.

For more information call the SQ News editor at ext. 331.

fic.

"We are not really adversarial to the Warden," explained Sattris. "Our role is to improve the prisoners' condition, to provide them a safe and decent place to live and work, and to raise the level of our civilization by improving the bottom line—prison life—in a positive direction."

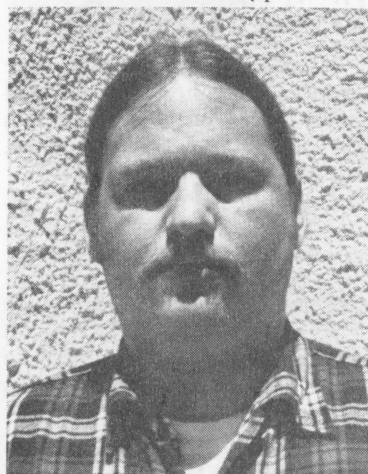
Prisoners may contact the office by writing Prison Law Office, General Delivery, San Quentin, CA 94964.

## SQ Con Gets Realty License While in Prison

By Casey Burke

Last December, Kevin McQuown received his real estate salesperson license while incarcerated here, making him the first maximum-security prisoner to become a licensed realtor in the history of the United States penal system.

McQuown, presently serving a 12-year sentence for attempted murder, took and passed the real estate licensing test in August 1979, before his incarceration. He applied for



KEVIN MCQUOWN

the license in June of 1980 and on Dec. 29, 1980, sales license No. 792614 was issued and mailed to him here at San Quentin.

"The license is currently being held in Receiving and Release because the prison administration feels it may be escape contraband material," McQuown told the News.

According to the Real Estate Law Book, section 10171, all real estate licensees are required to complete 45 clock hours of specified courses, seminars, or conferences each four-year period preceding renewal. This will affect all real estate license renewals on and after Jan. 1, 1981, as stated in the Continuing Education Act of the same date.

McQuown said, "It's a fluke that I was able to obtain the license under these circumstances. Everyone told me that it couldn't be done. I just couldn't accept that and set out to prove that I could obtain the license."





NEAL STEINHAUER

## Retired Sportsman Visits Skyline Gym

Neal Steinhauer, a former indoor shot-put world record holder, visited San Quentin's Garden Chapel and, of course, the Skyline Gym last Sunday.

On Jan. 5, 1967, Neal succeeded in throwing a 16-pound cannonball for a distance of 68' 11". Neal, who is 6' 5", weighed 275 pounds then. The time was right for the 1968 Mexico Olympics, so he continued to train and dream of gold, but his dream did not come true.

One day, while pumping iron, he slipped a disc in his lower back. "I will not compete any more. Besides, I've lost a lot of muscle," Neal told the SQ News. "George Woods has the record now, 72' 3". That's hard to beat."

## Folsom Lockdown

FOLSOM (AP) — The second lockdown this month was ordered after a 31-year-old inmate was stabbed with a homemade knife, officials said.

Prison spokesman Gil Miller said inmate Willie Thomas was in stable condition at UC Medical Center in Sacramento with a wound in the lower right side of his neck. He underwent surgery for arterial and larynx damage.

Thomas, from Los Angeles County, is serving a life sentence for first-degree murder and assault with a deadly weapon.

Miller said the attack on Thomas, who is black, appeared to stem from tension between two gangs of black inmates.

## Incidents . . .

Continued from page 1

officer with his fist while being escorted to the sergeant's office for an interview, said Madding.

After he was restrained, Madding said, he subsequently attempted to hit the same officer and a nearby gunman fired a warning shot to quell the incident. The prisoner was placed in maximum security and will be charged with assault on staff.

### Gymnasium

At 11:44 that same morning, a warning shot was fired to break up a fistfight between three prisoners in the gymnasium, according to a report filed by Lt. Julian. The incident, he said, appeared to be the result of a personal dispute, there were no serious injuries and it was not racial.

### July 23

The next day saw another major disturbance on the C Section yard. At about 11:45 a.m. the gunrail officers covering the yard reportedly observed two prisoners being attacked by two separate groups. Each then fired a warning shot without response.

"Because of the intensity of the assaults," Madding reported, "the officers could not see if there were weapons involved, so they recocheted five rounds of birdshot into one group and four into the other, halting the incidents."

Eleven prisoners including the two victims, were treated at the prison hospital for minor birdshot wounds and were returned to their unit, he said.

### July 25

A third C Section disturbance occurred at 2:10 a.m. on July 25 when 10 prisoners housed on the fifth tier began throwing glass containers, bars of soap and urine on a unit officer, according to Madding.

After two staff members were hit with glass, receiving superficial cuts, additional staff responded. Each prisoner was ordered to cuff-up so they could be removed from their cells and the cells searched for possible weapons or items that could be thrown, he reported.

One man followed the order, he said, but nine refused. Of those who refused, said Mad-

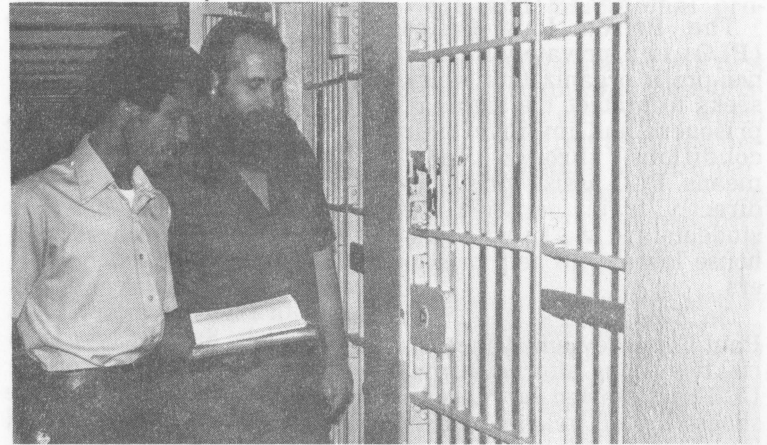
## Chapel Representative Program Initiated

A new chapel representative program was initiated recently in an effort to reach out to prisoners in the lockup units and to others who may have difficulty in getting to the chapel.

Protestant chapel clerks Phil

here for almost three years. Cook is a member of the Voice of the Pentecost Church.

Volunteers will be ministering to the north block on Mondays, the east and west blocks on Tuesdays, the hos-



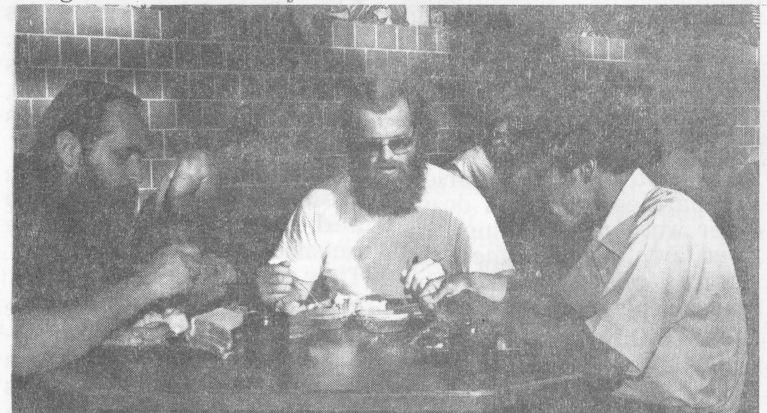
CHAPEL REPRESENTATIVE JOHN COOK, with clerk Phil Jablonski, ministering to a prisoner in his cell.

Jablonski and Jim McGinnis said several volunteers will be assisting Chaplain Howard in the program.

John Cook, one of the representatives, said he has been doing volunteer ministry work

pital and Badger Section on Wednesdays, and Donner and Alpine sections on Fridays.

Interested prisoners should notify housing unit staff of their desire to see a chapel representative.



CHAPEL CLERKS Phil Jablonski and Jim McGinnis dine with John Cook in the west block chowhall.

ding, a one-second blast of CN tear gas was administered to each cell and the prisoners were removed without further incident.

"Each prisoner was then showered, given clean clothes, checked by medical staff, and returned to their cells after their personal property was removed," Madding added.

No injuries to either staff or prisoners occurred during the physical moves, he said.

Seven of these 10 men were also involved in the July 22 incident, reported Madding.

### North Block

Also occurring on July 25 at about 11:40 a.m. was fistfight on the north block exercise yard, according to a report.

After a warning shot was ignored, said the report, a live round was fired. One prisoner was treated for multiple birdshot wounds. No other injuries were reported.

The yard was then closed and searched for weapons. One 7½" prison-made knife made of flat aluminum was found, but there was no indication it was involved in the incident.



Guest Editorial

Which Way Do We Go?

By Kalima Aswad  
SATE President

There have been suggestions that I not write this piece because people might not understand and take exception to it. That may be so, but it is about time the few who are clowning the majority of us be put in check.

The lack of self discipline and respect shown by a relative few black prisoners toward guests and entertainers at the Labor Day and Soul Day shows has cost the black population dearly in its ability to put on shows and other programs at San Quentin in the future.

Booing the comedienne, Jane Dornacker, off the stage during the Labor Day show was totally unnecessary. There has been a lot said about San Quentin audiences being tough on performers who do not perform as well as they are expected by booing and catcalling. That part of San Quentin's culture is not something to be proud of, especially when it is partially responsible for the increasing difficulty we have in getting quality performers to come in and provide entertainment. Black prisoners did not create this culture and we have no business adopting it as our own. We have more than enough negative influences hanging around our necks without taking on more.

When people give up their holidays and time that could be spent with their families, or out having a good time, to come inside and do the best they can to provide us with entertainment, they deserve some respect — if not appreciation for their efforts. This can be accomplished by shutting-up or simply leaving. The best thing for those who do not like the shows that come in is to just stay away. There is no requirement to attend and there is no requirement to stay.

At the Sept. 19 Soul Day show, we encountered problems of a different nature. Bloods seemed to enjoy the dancing and fashion models, but went overboard in the opposite direction.

We denounce any approval being voiced that is derogatory. I am specifically talking to those clowns who saw fit to refer to the sistas as "bitches" and "whores."

These so-called "brothas" are setting the stage to where nobody will want to come in. Not only were sistas on the stage referred to by such names, but others who were sitting in the audience. When the Crips were snatched off the line and locked up, and east block bayside denied their visits, the Sisters of Motivation (SOM) were the only ones from outside who tried to do something about it. Over the years, they have come forward on many occasions to do what they could with a very small group to help our situation. One of them was called a "bitch."

Not only do our people coming inside this hell-hole not have to do it, but we don't have to subject them to the kinds of insults hurled at them on the 19th. If we can't give the kind of respect they deserve, we won't ask them to come in and that will be the end of it.

Climbing over the wooden barriers is another problem. Years of effort to get the damn things removed entirely have been wiped out. We had progressed from just the SATE Executive Council sitting among the guests and enter-

tainers, to the entire membership, to adding other people. It took years to convince prison officials we could deal with it. Our whole argument depended on the conduct of those who attended. Now we are back to just the SATE membership.

We asked some of those we saw to return behind the barricades. Most did not and we let them stay so there wouldn't be even more problems. One "blood" went so far as to accuse me of acting like a cop just because I asked him to stay behind the barricades. Well, if we don't police ourselves, the cops will — you gotta make a choice on that, young blood. Either we govern ourselves to the extent the guns and holes allow, or they will. Until recently, we've been doing for ourselves — and doing a good enough job of it — to where we had no major complaints about the conduct of our affairs. But, then, we had audiences who had enough discipline and self-respect to want to have our own thing.

The fault for climbing the barricades does not belong entirely on the audience. Certain SATE members who had responsibility for the barricade and stage areas were totally irresponsible in carrying out their tasks — including some in positions of leadership. Some acted as if they never saw a woman before and just abandoned their assignments.

I do not mean the majority of the audience or SATE was out of line. It was just a relative few, but that is all it took to jeopardize future shows. We don't have but three a year that we get to put on for the black population. The undisciplined few should think about that.

So far, they have caused the possible formation of a specially trained force for "audience control" and construction of another kind of barrier (probably a fence) so people can't climb over it. Unfortunately, the audience can't see as well either.

We are opposed to both measures and will fight against it. All it takes is the few who are clowning everybody else to stop it. We have another show scheduled for Dec. 19 — The Kwanza Celebration. By then, I expect our act to be together again, without the special force and added barricades.

On Sunday, Oct. 4, we have the Black male/female relationships meeting in the Jewish Chapel that was cancelled due to the lockdown last month. For the rest of October we are going back over self-discipline, self-awareness, individual responsibility and accepting responsibility, for the benefit of those SATE members who did not learn from it when we spent an entire meeting on each topic in our last agenda. After that, we will be going into the next phase with a new agenda, which we hope to implement on Oct. 31.

SanQuentinNews

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G. W. Sumner ..... Warden  
Managing Editor ..... Mike Madding  
Publication Advisor ..... Joan Lisetor  
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Stabbing Slams Mexican-Americans

A stabbing incident last Sunday resulted in a lockdown for the prison's Mexican-American population.

The victim, an east block prisoner, was treated at the prison hospital for two stab wounds to the chest and two to the back and was admitted to the hospital in good condition.

Information Officer Mike Madding said staff received information that the assailant, though not specifically identified, was Mexican-American and that there may be some possible retaliation among that segment of the population.

As of yesterday morning, the lockdown was still in effect and Madding said it is not yet known when it will be lifted.

St. Francis To Be Celebrated Oct. 4

The 800th anniversary of the birth of St. Francis of Assisi is being celebrated on October 4, 1981. He is one of the most loved and celebrated saints in the Catholic Church.

Around the world, the Catholic Church is sponsoring numerous events and celebrations in his honor throughout the entire anniversary year. As part of these festivities, the Catholic Chapel at San Quentin plans to commemorate the spirit of St. Francis by celebrating Mass in his honor on that date.

The theme of the 9:30 a.m. Sunday Mass will be "Rejoicing Before the Lord in the Spirit of St. Francis." Rev. Pat de Jong, a Presbyterian Minister, and other outside guests will be sharing a special liturgical form of worship with the congregation of the Catholic Chapel. By this means it is hoped that the message will be remembered for a lifetime.

After Mass, a time of discussion and conversation will be available for all.

Movie List  
4th Quarter, '81

- Oct. 3 — "Excalibur," R, 140 min.
- Oct. 10 — "Airplane," PG, 86 min.
- Oct. 12 — "Fist of Fear, Touch of Death," R, 90 min.
- Oct. 17 — "Night Call Nurses," R, 85 min.
- Oct. 24 — "The Final Conflict," R, 108 min.
- Oct. 24 — "La Cosecha De Mujeres," (Mex.) R, 90 min.
- Oct. 31 — "Take This Job And Shove It," PG, 100 min.
- Nov. 7 — "Wizzards," PG, 81 min.
- Nov. 11 — "Clash of the Titans," (Hol.) PG, 81 min.
- Nov. 14 — "Bustin' Loose," R, 94 min.
- Nov. 14 "Zona Roja," (Mex.) R, 90 min.
- Nov. 21 — "Lion of the Desert," PG, 162 min.
- Nov. 26 — "Divine Madness," (Hol.) R, 94 min.
- Nov. 28 — "Assignment by Night," R, 89 min.
- Dec. 5 — "Superman II," PG, 127 min.
- Dec. 12 — "Outland," R, 109 min.
- Dec. 12 — "Chin Chin El Teporocho," (Mex.) R, 90 min.
- Dec. 19 — "For Your Eyes Only," PG, 127 min.
- Dec. 25 — "Stripes," (Hol.) R, 105 min.
- Dec. 26 — "Escape From New York," R, 99 min.



In case no one has noticed, the News has not been published with any regularity lately and, too, the quality seems to have suffered some. Problems are many. Joe Stocker has not returned and the printshop is still without a compositing instructor, leaving students to manage their best at production work with little or no opportunity for learning. Morale is not exactly good.

Another major problem concerns trying to maintain some standard of quality with only a limited reporting staff. Of our two reporters, Bill Torres transferred last month to the greener pastures of Soledad South, and Casey Burk quit two weeks ago and is now assigned to the electrical maintenance shop, leaving ye olde editor to write the paper.

But all is not lost. Replacing Burke is Chuck "EZ" Williams, hired last week, who shows promise of becoming a good reporter. Also hired recently was Arthur Hemphill, who took the circulation manager position and will also be doing some writing. The News welcomes these two men. With the continued help of our chief supporter and publication advisor, Joan Lisetor, we may get a competent News staff together yet.

On the out-and-about, it appears CDC headquarters is continuing on undaunted in its plans for San Quentin. Work was begun (though temporarily halted) to convert south block's Alpine Section into yet another maximum security lockdown unit. The south block is presently noted as the largest prison cellblock in the world. When construction is completed on A section, it can also be noted as the world's largest maximum security slammer.

And just to prove that no part of the prison is to go untouched, the west block—long an honor block under the now dying incentive system—is seeing its own structural and policy changes. The block is temporarily operating as a closed unit while rolls of cyclone fencing and coiled strands of concertina wire are being cut and welded to secure the previously unused gunrails. And where the officers used to once casually stroll the tiers looking to better communication, they now walk regular beats in pairs or threes looking to spot trouble.

The impact of all this, of course, is an escalation in tension and paranoia, followed by a breakdown in communication, followed by a series of actions, reactions and overreactions, and we all know how it goes from there.

For what it's worth, however, we can abort any troubles before they start: simply by not buying into the negative perspective. Change (regardless for the better or for the worse) is a fact of life and the bottom line is that we still have the choice of how we each want to respond to what life throws at us.

Surviving the results of one day's construction, one con announced in frustration, "Well, I'll just start loud-talking and playing my radio loud and dround it all out." Question arises, however, what this will affect. While it may be a good escape for one man, it can only add to the chaos and confusion of all else around him—and what goes out from us is what comes back. Not really an escape afterall.

What it all comes down to, I guess, is common courtesy and simple respect. We all want to, be treated with dignity and respect. We can be. All we need do is treat others the same. What goes around comes around.





THE MODERN DANCERS

## Sate Presents Soul Day

By Arthur Hemphill

Once again, the Sate organization was proud to step forward and present another soulful day of entertainment at the annual Soul Day celebration held Sept. 19 in the north dining hall.

The menu consisted of San Quentin's own Brothers of Soul, who opened the show with a jam called "Just a Telephone Call Away," but everyone was beginning to wonder where the outside guests were—for some reason not a soul from the outside had arrived yet.

Looking at two hours later, all of a sudden here comes brothers carrying flight bags, hand bags and hat boxes. Now

newly-formed group calling themselves Blazed. These young brothers pumped pure funk to us, and we are looking to see and hear more of their music in future events. Keep funk'n'.

So to all of you who missed the festivities, we really missed having your representation. The only ones excused had visits, were ill or in jail and still to those non supporters.



BARBARA BYRD and Aswali Stoneham.

at that particular moment, the Brothers of Soul were kickin' a tune called "Aiming at Your Heart," and I feel it's safe to say that it filled the atmosphere with a lot of pleasant memories.

But to put the icing on the cake, we had a parade of beauty coming through the door with pure rhythm and soul in their bodies. As I found out later, they're called the Sisters of Motivation, and they really got all the way down and socked it to us. I mean the sisters let it all hang loose.

Now the show was in full blast, and was a day worth mentioning special thanks befitting one of beauty—a lady, a sister who possesses and projects such a dynamic graciousness and who works as a professional disc jockey. Her personification was magnetic, for she captured attention throughout the show's entirety. I'm talking about the master of ceremonies, Barbara Byrd.

As the show progressed, then came up our own up and coming soul-funk group, the



ONE OF THE MODERN DANCERS

There remains more to be spoken, in hopes of expressing admiration or elation concerning the sister who narrated the whole affair. Yet, they would only cheapen the impression made by her presence, and that of all the sisters who unselfishly devoted their time and effort required for the energy of which they projected and left within our hearts.

Again, thanks of special unity to those who sponsored, once again, that day of soul.

It goes with special mentioning that without the support of our sponsors (G. Kinnard, C. Cathy and A. Lacefield) there would not have been a program. Let us focus in on the next one.

The "Ultimate Trip" was introduced as sisters modeling fashion—the ultimate conservative, making her way in the world, the Afrikan woman of today—everyday dress, business and evening, out on and in the town, adding the compliment to the well-dressed Afrikan man, with "his and hers" together.

Then came the lounge time—you know, the long, sexy things with splits. Craftan, kimono, the slinky black gown with the "cocktain glass." Let your imagination follow the Ultimate Trip—the Total Woman.

Also, a special thanks to the Brothers of Soul musicians who unselfishly provided the continuing, powerful, driving rhythms which complimented the motivation of the sisters.

Yet, there still remains another disappointment. Hammed Express was not able to make it. But Brother Copeland filled in the spaces with his own brand of conscious-raising poetry.



BROTHERS OF SOUL

## Letters

Dear Editor:

Okay, you printed my letter and wrote your own thoughts about it—I can appreciate that. What I would like to do now is to make a point clear to you. You said something that I agree with: "But you wants to read only depressing news?"

Look, this is a depressing place and most of what goes on here is the same, but you can't just put things aside because they are depressing. There are too many people here with their heads in the sand — or elsewhere — and not only do they need to know all the depressing facts about this place, a lot of them also need a hint as to what they can do about it.

You say a constructive outlet for a small percentage, well point out a constructive outlet for a large percentage — the percentage that is locked down. You have the means to enlighten a large number of people and it takes a large number of people in any prison to get something going for the convicts.

Most of these guys figure that what they try to do won't matter because they're only one person. Well of those 50 to 100 guys that had a thought such as the latter, they just passed up getting something done without being aware of it.

Most of us are thinking the same thing. Does that mean that most of us are too damn lazy to get up off our butts and do something about what we feel is right? That may be true, but I do know that the San Quentin News can do more to help pull some heads out of the sand. Only the cons will do it and some are a little behind on knowing just what they can do if they only try.

It wasn't west block that I was so intent on kicking in the ass, they were a target for making a point, to get a response. And maybe, just maybe, to put a kick in the right places to get the cons to do something about where and how they live.

—Thompson, B-97478 2-N-76

**Editor's Note:** Points well taken and I agree that the News can exert a more thought-provoking influence. Our troubles have been a lack of News staff — only myself and one reporter — but we should have it together soon with a new staff.

Dear Editor:

I have received a recent issue of the San Quentin News and would like to commend you and your staff on the well written, concise article, the editors column and in general a very quality publication concerning the circumstances

under which you publish it.

I do not know what your budget is, or your printing capacity. However it would seem to me that since your newspaper is available not only to inmates, but also to the general population outside of the institution as well, you would be doing yourselves, the inmates and the subscribers a favor by offering one or two samples of prison art each issue.

As I am sure you are aware, the art work done by inmates is among the finest and most creative in this country. I have been aware for over 20 years of the beautiful and sensitive art work that is done by inmates, since visiting a show of art work by inmates at Folsom over 20 years ago. I have been vitally interested in this work since then, and am sure many others would share this enthusiasm if they were made aware of it. This is just a thought.

I had occasion recently to also read an older copy of the Folsom newspaper and was struck by the beauty and feelings in the poetry, prose and art they showed in that edition.

I would also like to add to the gentleman who wrote in your editor's column (Aug. 28, issue) "Have you ever stopped to wonder who cares about all this, . . ." I would like to answer and let him, you and the others who read this know that I, for one, do care, and am vitally interested in the welfare and ongoing battle, that can never be won, perhaps, but nevertheless, one I intend to go on waging until the officials in the CDC understand that their canned propaganda about "humane treatment, cleanliness, and decent living conditions of the inmates," (from a recent response from the office of Ruth Rushen to a letter from me) just won't wash.

Best of luck to you and your staff and continue the good efforts. Most of all, please do not forget that there are those of us on the outside who really do care — and while it is difficult to always express these feelings, I hope it will make a difference.

Sincerely,

Jean Bennett  
Downey, California

## MAKING A FRIEND

There is no joy comparable to the making of a friend, and the more resistant the material the greater the triumph.

—David Grayson





# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. II, No. 31

TAMAL, CALIFORNIA 94964

Friday, October 9, 1981



LOS MATLACHINES of Ballet de Folklorico

Sponsored by La Mexcla

## SQ Latinos Celebrate Mexican Independence

By Jimmy Price

According to San Quentin convict Tiger Tovar, at 11 o'clock on the night of Sept. 15, 1810, Father Miguel Hidalgo, a parish priest in the little town of Dolores, State of Guanajuato, Mexico, made a speech to his people which is referred to as *el grito* (the cry) demanding his country's independence from Spanish rule.

The next day a small group of revolutionaries took up arms against the governing Spanish, thus beginning a long and bitter war that was to end 11 years later with Mexico's freedom.

Now marked as Mexico's Independence Day, Sept. 16 is celebrated in every city and village of that nation, always beginning with a commemoration of Father Hidalgo's *grito* at 11 p.m. the night before.

This year, the historic occasion was formally celebrated here at San Quentin on Sept. 26 in the north dining hall. The event, sponsored by La Mexcla and featuring traditional Mexican food and entertainment, was a testimony that the bonds of a people cannot be severed by prison walls.

Among the many guests and entertainers was Gloria Vasquez, a longtime friend, sup-

porter and chief outside sponsor of La Mexcla and its function here at San Quentin.

In appreciation for her time, energy and unswerving devotion, Vasquez was presented a beautiful model cable car, made and furnished by Salvador Garcia in the name of La Mexcla.

Also present was speaker-lawyer Yvonne Garcia, who delivered an inspiring message of hope for the Mexican people.

Playing in top form — and never sounding better — was San Quentin's own prisoner band, Necka, who opened the show with a George Benson tune called "Breezin'." and the group breezed on through a well-coordinated set.

Necka leader Richard Ybarra, playing lead guitar, arranged and composed several of the tunes himself, including "Don't Rush Me," "Que Paso," "Christina," and "Chico's Blues."

Other members of the group are the cool and casual Leonard Santos, keeping rhythm on bass guitar; piano-playing Bob Varrichio, low-riding at the keyboards; and the dynamic Phil Burdick, of whom it is said can keep 34 drums and 19 cymbals all vibrating at the same time.



YVONNE GARCIA AND GLORIA VASQUES

Rocking the show to new life — and reminding everyone that celebration was the order of the day — the nine-member band, Briza 99, followed powerfully on Necka's heels.

From Fairfield, California, Briza 99 played their own brand of salsa and oldies, featuring a strong brass section and permeating vocals.

Master of Ceremonies, Jessie Tolco, then introduced the gala Mexican folk dancers, Los Matlachines, of the well-known San Francisco-based Ballet Folklorico.

Under the direction of Professor Mariano Tapia, himself donning a spectacular Aztec

Continued on page 4



BRIZA 99—

## Vows 'Swift, Sure' Justice

### Brown Signs 'Bitch' Law; Other 'Anti-Crime' Bills

By Steve Wiegand  
Chronicle Correspondent

SACRAMENTO — Governor Brown praised himself and the Legislature for their crime-fighting prowess recently as he signed 14 anti-crime bills into law, including life terms for habitual violent offenders.

"The legislative and executive branches together this year served notice that those who would terrorize California will be punished and punished severely," he said. "We have enacted a comprehensive program to help win the fight against crime by building new prisons, further strengthening sentencing laws and making justice more swift and sure."

Brown also said he would form a statewide committee to campaign for a \$495 million prison bond issue that will appear on the June 1982 ballot, and would urge the Legislature to put a similar \$280 million bond issue for local jail construction on the same ballot.

Among the bills signed were measures that require:

- Sentences of 20 years to life for violent crimes committed by people convicted of two previous violent crimes. The measure also requires that juvenile convictions for serious crimes be considered as part of an adult's criminal record.
- Prison terms and increased sentences in most cases for those convicted of child molestation or involvement in

child prostitution. Currently, some convicted child molesters receive probation if they agree to undergo counseling.

- Notification by the state Department of Corrections to local law-enforcement officials when inmates are paroled and released.

- Fingerprints on all drivers' licenses to prevent falsifying of documents and to increase the licenses' identification value.

- An 18-year minimum age for people who want to buy spray paint in quantities of six ounces or more. The law makes it a crime for minors to even possess spray paint if it can be proved they plan to use it to deface property.

Brown's flurry of crime fighting came on the last day he had to sign bills passed by the Legislature. Bills that he did not sign or veto by midnight became law without his signature.

The bill signings for crime legislation culminated a legislative session in which lawmakers introduced hundreds of anti-crime bills. Aides to Brown said 45 of those measures actually received the governor's signature.

The Legislature did not approve Brown's own proposal to raise the state sales tax by ¼ cent for the next 10 years to finance crime-fighting efforts, but his idea was eventually transformed into the bond proposals.

## The House

### Hospitality Center For Prison Visitors

Contributed by  
By Casey Burke

The House, located on Main Street in front of San Quentin, is a hospitality center for the visitors of prisoners incarcerated here. Mary Keelty, hostess-coordinator, and her staff of 12 full-time volunteers help provide a vast array of services.

This caring entity was founded in 1971 by Jim Kilty, sponsor of the Catholic Social Service of Marin. While visiting prisoners, Kilty observed a need for more organized services for visitors while they waited to be allowed in the prison.

Witnessing people standing out in the rain with confused looks clouding their faces, he formulated an idea for providing a sanctuary — a hospitality center. The product of this seed of thought became The House.

"The services provided to the friends and families of prisoners are limited only by a lack of imagination," said Kilty.

Transportation for visitors include service to and from the Marin Airport, local hotels and motels for out-of-town folks. Families needing transportation to and from local supermarkets to purchase groceries for family visits will also be assisted, said Keelty as well as taking parolees into San Rafael so that they may make their bus hook-ups.

Childcare is provided at The House under the professional guidance of Joy Stillian, childcare coordinator.

"We offer a vast array of little-people-oriented activities," said Keelty. "For in-

stance, if a child stays with us all day we provide hot lunches and snacks. This is in addition to providing loving care with a friendship approach."

The childcare program features field trips every Thursday during the summer for children six years and older, according to Stillian. "We go to the Indian Village at Point Reyes, the Oakland Museum, the San Francisco Zoo, the Afro-American Historical Museum and lots more," she added.

Continued on page 4

## Con Stabbed In Education

A young close-custody prisoner suffered two serious stab wounds after being assaulted in the education building Oct. 1.

Jeffrey Elkins, 22, from Alameda County, was treated for a stab wound to the right hip and one to the abdomen. Elkins was transferred to Marin General Hospital for emergency surgery and was considered in serious condition.

The suspected assailant in the incident was reportedly treated for a cut on his hand and was admitted to the prison hospital for observation.

Administrative Assistant John Campbell said a 9½-inch prison-made knife was found at the scene of the incident. Initial investigation, he said, indicates the matter was a personal dispute and not racial or gang related.

Because of these case factors there was no general lockdown ordered for the prison.



# Beth Shalom Celebrates Jewish Rosh ha-Shanah

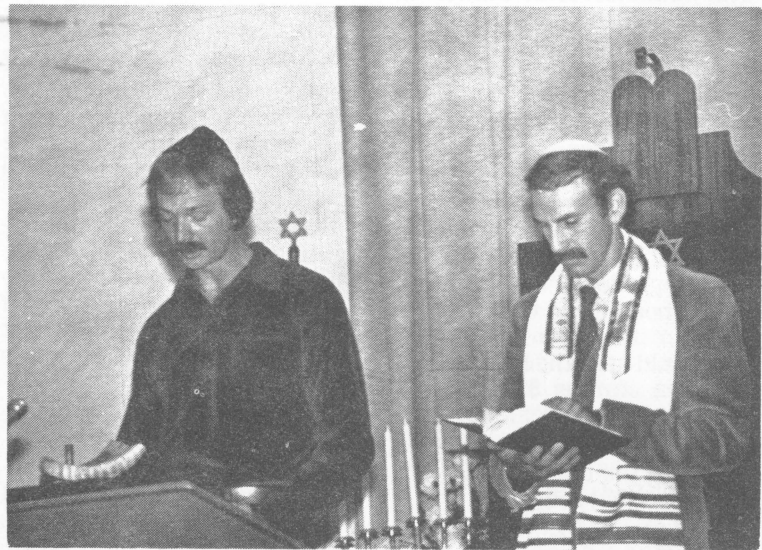
By EZ Williams

For a few thousand years, Rosh ha-Shanah has been recognized annually as the Jewish New Year. This year's Rosh ha-Shanah observance marked the beginning of the year 5742 of the World calendar, or Lunar/Solar calendar.

Although this 10-day ordeal is marked by labels such as Yom

Cantor Ben Roth leading the congregation in several ancient Hebrew chants. Basically, these chants were of hope and asked for guidance through the new year.

As the service progressed, different members of the congregation read passages from the Torah. This was mingled with several more chants which generally included the



CARL McQUILLAN reads from Torah.

ha-Din and Yom Kippur, and is recognized by all Jews around the world, for the most part it is a very personal happening in which an individual spends much time pondering his internal spiritual structure.

Also known as "The Days of Awe," it is time set aside for repentance and introspection — a spiritual process of getting one's head together to face the new year.

The 10th day of Rosh ha-Shanah, known as Yom Kippur, is a day of fasting and congregating — a cleansing of the internal self in preparation for the year ahead.

The first day of Rosh ha-Shanah is known as Yom ha-Din, and is generally marked by a spiritual service and congregational celebrations throughout the world.

San Quentin Jewish congregation, Temple Beth Shalom, took in the annual celebration

entire congregation.

This, the first part of the traditional service, consisted of three main aspects in a specific sequence. First, thanking God for our creation and continued existence. Second, thanking God for revealing himself to us, and the acknowledgement of his spiritual being. And third, thanking God for our redemption in the future.

The second part of this service, called the Ami Da, was comprised of six blessings — three opening and three closing — and takes place with the entire congregation standing.

Amidst the blessings, two very significant rituals took place. The unveiling of the sacred Ark of the Covenant preceded a special prayer. The prayer asked God to forgive our sins, to have compassion on us, to make an end to sickness, war and famine, to make an end to all oppression,



HOWARD ROOK, Jewish Chapel clerk, assists with scriptural reading.

on Oct. 1 at the Garden Chapel, concluding with a large buffet-style meal in the visiting room.

Close to one hundred people, made up of convicts and their guests, assembled at the chapel to formally recognize the Jewish New Year.

The celebration, or observance, was comprised of a two-part spiritual service, followed by a congregational meal.

Upon entering the chapel, all males present placed a *yarmulke* (skull cap) atop their heads, then proceeded to take their seats.

As this traditional service got underway, Rabbi Arnold Levine gave the opening prayer. This was followed by

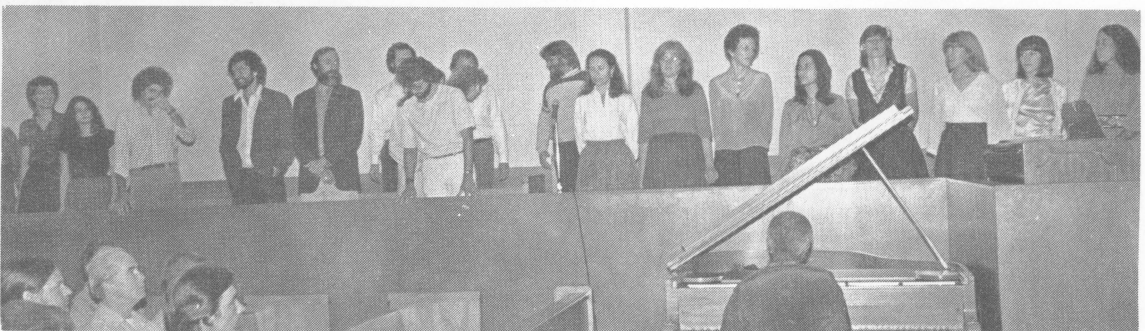
to make the coming year good for us, and to give strength to God's children of Israel. It was an awe-inspiring prayer which was followed by the closing of the Ark.

Then came the blowing of the *shofar* (a ram's horn). The blowing of the *shofar* was done thousands of years ago as a warning to the congregation of impending danger. According to Rabbi Levine, the *shofar* is blown in modern times as a reminder that all is not well in the world today.

The congregation meditated on Rabbi Levine's closing prayer, then all joined in to sing the concluding song. At this point, the congregation adjourned to the visiting room for the banquet and social gathering.



RABBI ARNOLD LEVINE partakes in ancient ritual, blowing the shofar.



LIGHTHOUSE GOSPEL CHOIR performing at Garden Chapel recently.

## CANTEEN PRICE LIST

October 9, 1981

FOODSTUFFS		TOBACCO & ACCESSORIES CONT.		SUNDRIES CONT.		TOILET ARTICLES CONT.	
A-1 Sauce	\$1.15	Bugler, 7 oz.	2.35	Shower Slippers	.80	Soap Dish	.50
Bean Dip, Jalapenos	.80	Cigarettes, Carton	\$6.00	Spoons, Plastic	2 for .05	Washcloth, White	.45
Beef Sticks	.30	Dutch Masters Panatellas	.95	Stamps	.18	HAIR ACC. & CONDITIONERS	
Candy, Bags	.65	Garcia y Vega Cigars, 5-box	.35	Sun Glasses	2.40	Alberto VO-5	1.95
Candy Bars & Lifesavers	.30	House of Windsor	.20	Sun Glasses, Clip-on	2.50	Breck Cream Rinse	1.05
Candy Bars, lg.	.95	King Edward Specials	.40	Tablet, Colored	.95	Chenti Panthenol Rinse	1.70
Cheese, Sliced	1.25	Lighter, Butane	.70	Tablet, yellow, ruled	.75	Combs, Natural	1.25
Cheese, Loaf, 2 lb.	4.05	London Dock	.65	Tablet, white, ruled	.65	Combs, Regular	.45
Cheetos	.95	Mixture 79	.55	Toenail Clippers	.95	Comb, Natural Pick	1.25
Chile Con Carne	.70	Papers, B&W	.15	Tumblers	.80	Combout	1.30
Chile Peppers	1.10	Papers, Yorkshire Long	1.05	Tweezers	.60	Dixie Peach, lg.	1.15
Chunky Beef Soup	.80	Pipe Cleaners	.35	Watchband, Exp.	1.80	End Paper	.90
Cookies	1.20	Pipe Filters	.15	Watchband, Nylon	1.35	Hair Brush	1.40
Corn Chips	.95	Pipes, Doctor Grabow	3.00	Watch, Pocket, Westclox	9.45	Hair Food	1.85
Crackers, Graham	1.05	Prince Albert, lg.	3.85	Watch, Wrist, Timex	17.90	Hair Glo	.95
Crackers, Ritz	1.20	Red Dot	.70	MAGAZINES		Hair Oil Hqz	.65
Crackers, Saltine	.85	Rolling Kit, Bugler	1.95	Air Progress	3.00	Magnetic Hair Rolls	1.05
Cupcakes & Fried Pies	.40	Snuff, Copenhagen	.70	Astrology for '80s	.90	Mustache Wax	1.05
Dill Pickles	1.40	Top, 7 oz. tin	1.95	Bike Lifestyle	1.75	Perm. Creme Relaxer	4.30
Donuts, Assorted	1.20	Top, Kite	.30	Choppers	1.75	Proline Combout	1.30
Dry Cereal	.20	Velvet, sm.	.50	College Football	1.95	Proline Cond., Gel	3.35
Honey Butter	1.15	White Owl Panatellas	.75	Easy Riders	2.00	Protein 29	1.35
Honey Natural	1.30	SUNDRIES		Football Action	3.95	Roller Pins	.35
Hot Sauce, Louisiana	.50	Aerogrammes	.30	Football Preview	3.25	Wave Rods	1.20
Ice Cream Novelties	.25	Alarm Clock	7.30	Fling	2.95	SOAPS & SHAMPOO	
Ice Cream, Pint	.60	Album, Photo	2.45	Gallery	2.95	Shampoo, Chenti Panthenol	1.70
Jalapenos Peppers	.60	Album, Refills	.55	Harvey	2.95	Shampoo, Head-n-Shoulders	1.20
Jam	1.25	Art Corners, Photo Mount	.35	Hot Rod	1.50	Shampoo, Prel	.85
Marshmallows	.60	Bags, Zipper, Canvas	7.45	Hustler	3.50	Shampoo, Pro-Line	.95
Mayonnaise, Miracle Whip	.65	Batteries, AA (4)	.40	Hustler Humor	2.95	Shampoo, Sebuctone Tar	2.80
Menuado Stew, 7 1/2 oz. can	.45	Batteries, C-size, D-size	.40	Iron Horse	1.75	Shampoo, Sulbulex, Med.	2.30
Mustard	.40	Batteries, 9-volt	.60	NFL Preview '81	1.75	Shampoo, Sulphur 8	2.05
Peanuts, Spanish, Salted	.80	Binder, 3-ring, 8 1/2 x 11	3.70	Oui	2.95	Shampoo, Spring Feeling	1.20
Peanut Butter	2.20	Binder paper, 3-hole	1.50	Penthouse	2.50	Soap, Cocoa Butter	.85
Peacan Pies	.40	Can Openers	.40	Pigskin	2.75	Soap, Dial	.55
Pico Pica Sauce	.55	Christmas Cards, Box	1.69 to 3.29	Playboy	2.50	Soap, Irish Spring	.40
Popcorn	.20	Cards, Greetings	.25, .35 & .50	Players	2.75	Soap, Palmolive	.40
Potato Chips, Bar-B-Que & Plain	.75	Cards, Greetings	.15 to 2.50	Playgirl	2.50	Soap, Sastid	1.35
Pretzels	.80	Decanter, Plastic	2.05	Popular Crosswords	.99	DENTAL SUPPLIES	
Rolls, Assorted	1.30	Dissolution, Regulatory	5.00	Rolling Stone	1.50	Binaca Breath Drops	1.15
Salami	1.55	Divorce, Summary	5.00	Strength & Health	1.25	Cepacol Mouthwash	2.00
Sardines	.75	Envelopes, Blank	.02	The Ring	1.50	Dental Floss	.70
Soup, Cup of	.15	Envelopes, Color 24	.55	TOILET ARTICLES		Denture Brush	1.20
Sugar Cubes, 1 lb.	.65	Envelopes, Expanding	1.60	Afta Shave	1.50	Effident Cleaner	1.80
Top Ramen Soup	.35	Envelopes, Plain, Manila	.15	Brush, Shaving	3.80	Polident Cleanser	1.65
Tortillas, Floured	.90	Envelopes, Stamped	.20	Copper Tone Tan Lotion	1.50	Poligrip Adhesive	.85
Tortillas Chips	.95	Fingernail Clippers	.45	Cocoa Butter	1.55	Toothbrush	.30
Tuna Fish	1.20	Ink, Refills, Shaeffer	.15	Chenti Panthenol Lotion	4.30	Toothpaste, Colgate 7 oz.	1.45
BEVERAGES		Handkerchiefs	.80	Colgate Shaving Soap, cup	.30	Toothpaste, Pepsodent, sm.	.30
Breakfast Drink	.95	Padlock, Combination	3.30	Colgate Rapid Shave	1.05	Toothpaste, Topol, 3 oz.	3.30
Cocoa Mix, 1 1/4 lb. bag	2.75	Paper, Blue Bond 16 lb.	5.30	Intensive Care Baby Oil	1.35	Toothpicks	.45
Coffee, Hills Brothers, 4 oz.	1.90	Paper, Bond 20 lb.	5.45	Jergens Direct Aid Lotion	1.30	Toothpowder, Colgate	.90
Coffee, MJB, 10 oz.	3.80	Paper, Legal 26-line	.13	Magic Shave	.70	DRUGS	
Coffee, Tasters's Choice	3.60	Paper, Legal 32-line	.16	Mennen Cream, Brushless	.65	Alka Seltzer, Pk. of 2	.15
Dairy Creamer, Maxwell	.90	Papermate Refill	.75	Mennen Cream, Lather	.65	Clearasil	2.25
Kool-Aid, 2 qts.	.65	Pen, Lindy, Ballpoint	.25	Mennen Deod. Stick, 1 1/4 oz.	1.20	Cough Drops	.35
Lemonade, qt.	.40	Pen, Papermate, Ballpoint	.85	Noxema Skin Cream	1.35	Hoffman's Energol, 8 oz.	4.90
Milk, Chocolate, qt.	.75	Pencil, Mech	.90	Powder, Casmere Bouquet	.80	Hoffman's Hi-Pro Pwd., 1lb.	3.55
Milk, Fresh, qt.	.65	Plastic Containers, 4/set	2.45	Powder, Magic Shave	.85	Chapstick	.60
Milk, Powdered	1.35	Pocketbook	.75 to 3.90	Powder, Mennen, Bath	1.50	Quinsana Footpowder	1.95
Ovaltine	1.65	Postcards, SQ (5-pict)	1.00	Powder, Mennen, Face	.90	Tums	.30
Soda Pop, Canned	.30	Postcards, Standard	.12	Razor, Double II	1.25	Vicks Vapo-Rub	1.35
Tea Bags, 100	2.85	Room Freshener	.80	Razor Blades, Double II	1.70	Visine Eye Drops	1.75
Tea, Instant W/Lemon	1.00	Scripto Lead	.45	Styptic Pencil	.30		
V-8 Vegetable Juice	.40	Shoe Polish, Blk/Brn	1.15				
TOBACCO & ACCESSORIES							
Beechnut Tobacco	.60						
Borkum Riff, 1.5 oz.	.75						
Bond Street	.60						



## Misplaced and Overlooked

# Innocent Man Does 29 Years

WEST CHESTER, Pa. (AP) — Emmanuel Treadway walked out of prison a free man recently after a 29-year ordeal in which he was "lost in the system" without ever being convicted of a crime.

A small, shy man with a hump, Treadway, 46, was to have been released from Chester County Prison at 4 p.m. But authorities released him earlier to avoid reporters who waited at the gates.

He had entered prison as a "defective delinquent" at 17, when he was charged with attempted rape and assault. He spent 18 years in prisons at Huntington and Dallas before being moved in 1970 to Pennhurst Center for the retarded, where he was later diagnosed as mildly retarded.

With no family or attorney to press for his release, he remained at Pennhurst seven years until he was charged with raping his girlfriend at the institution and transferred to Chester County Prison.

"This man was lost in the system. I think they forgot about him," said public defender R. Kerry Kalmbach, who became Treadway's lawyer in 1977, got the charge dismissed and began working for his release.

Treadway's plight also came to the attention of Chester County Warden Thomas Frame.

"I wasn't pressing the issue (his release)," said Frame. "I knew he couldn't function outside."

Treadway didn't speak when he was transferred to the prison in 1977. "It wasn't that he couldn't speak, but ... it took awhile to adjust," said Kalmbach. "The prison officials really went out of their

way to assist him once the charges were dropped and he began to come out of his shell."

Last year, Frame found a job for Treadway at a Chester County nursing home "just to get him out of jail." Treadway will keep his job stacking shelves at the home near the prison while living with another man and a mental health supervisor in an apartment nearby.

For the past year, Treadway has spent his evenings working in the prison gardens, Frame said. "I came to like him so much I hate to see him leave. He's like an adopted son," said the warden, who added: "I don't think he comprehends what's going on. He's been saying he's going home for years."

Frame is not the only one reluctant to see Treadway leave prison.

"It really is questionable whether this will benefit him," said Chester County Judge D. T. Marrone, who signed the release papers. "But we all knew this day was coming."

Kalmbach said it may take awhile for Treadway to adjust to not having people to tell him what to do.

Dr. Steve Chafetz, mental retardation coordinator for Delaware County, which is now responsible for Treadway, agreed. "Anyone coming out of an institution, particularly the mentally retarded, have a difficult time adjusting," he said.

"It will be difficult, but he'll have continuity in keeping the same job and he will be supervised all the time."

Treadway also will be able to return to the prison to visit friends or even spend a night, Chafetz said. "It's been his home so many years."

## Comatose Cons Less Trouble, Says Senator

SPRINGFIELD, Ill. (UPI) — Senate Republican counsel Philip Weber says prisoners should serve time in two ways; in comas where they pose no danger to society, and working in municipal jobs, wearing day-glo orange uniforms and shaved heads so they can be identified.

Weber, a member of the Illinois Bar Association's prison reform committee, was mulling the prison situation with associates in a bar and came up with the plans.

But interviewed at a later date in his office, he said he intended the plans be taken seriously, though most government officials and lawyers scoff.

"We're still talking about the penitentiaries as the only way of handling crime and we're just packing people in," Weber

said. "I'm serious, but I don't make policy."

"I just thought we should consider some punitive alternatives. They are deliberately extreme, but ... we could modify this and come up with some reasonable proposals."

Under his proposal, prisoners would be paroled to municipal governments, where they would be put to work doing menial jobs.

But to tell the prisoners from the regular city workers, Weber recommends prisoners

## San Quentin Question Man

By Arthur Hemphill

How do you feel about the working conditions at the furniture factory and what could be done to improve them?

**K. Beanson:** Food and service of food needs much improvement. Wage per convict is way below any standard and conditions to permit a person to work and maintain good health are poor.

**Julio Guzman:** I have been working in the industries at San Quentin and CMC for a total of eight years. If a man has been working for more than eight months and decides that he wants another job, he should be able to do so without a lot of problems. Also, such rules about the policy or any changes that are made should be put up on the bulletin board so that newcomers, as well as the other workers, will be made aware.

**Raymond P. Rios:** Promises that Mr. English said would come about never happened. The phone was never installed, the food was never changed, the money situation was never put into effect. I feel if these things were taken care of the convicts would be a lot happier.

**Lucio:** The staff has a weekly meeting—why shouldn't the inmates and staff get together and discuss any problems concerning the furniture factory employees and inmates? Also the feeding takes too long. Thirty minutes is just not enough time.

**John Ellis:** I think overall working conditions in the furniture factory reflect San Quentin's conditions. There's very little communication between workers and staff—especially at the job. There should be more rewards for a job that's well done. Food could be improved. Who feels like working after eating poor chow?

### L.A. Bus Due

The San Quentin visitors' bus from southern California will leave the Los Angeles area the evening of Oct. 16, allow visiting for the next two days, and return on the evening of Oct. 18.

The bus is provided through the Help Public Service Foundation, a private non-profit organization, at 5311 S. Degnan, Los Angeles, Ca 90008. Their telephone number is (213) 292-0144.

be dressed in day-glo orange uniforms and have their heads and eyebrows shaved.

"This concept is less offensive than putting someone in the penitentiary for four years and let them sit on idle hands and go stir crazy," he said.

## LAW COLUMN

People vs. Foreman  
123 Cal. App. 3d 44

### Summary

After entering guilty pleas pursuant to a plea bargain, defendant was convicted of kidnaping for the purpose of robbery (Pen. Code, § 209), false imprisonment (Pen. Code, § 236), automobile theft (Veh. Code, § 10851), and robbery (Pen. Code § 211). At the proceedings on his guilty pleas, defendant did not expressly and vocally state that he waived his constitutional privilege against compulsory self-incrimination, right to trial by jury, and right to confront his accusers. The trial court fixed a six-year determinate sentence for robbery as the principal term, to be served consecutively with a subordinate indeterminate sentence of life imprisonment with possibility of parole for kidnaping for the purpose of robbery. Defendant unsuccessfully applied to the trial court for a certificate of probable cause required by Pen. Code, § 1237.5 for appeals. (Superior Court of Alameda County, No. 70281, Jacqueline Taber, Judge).

The Court of Appeal modified the judgment by striking therefrom recitals that in the perpetration of the crimes charged in three counts, defendant intended to, or did, inflict great bodily injury, and affirmed the judgment as so modified. Such modification resulted from the fact that the attorney general agreed that under the plea bargain agreement the great bodily injury allegations were to be dismissed. The court held that defendant was not precluded from seeking appellate review on the issue of whether there had been a recorded waiver of his constitutional rights, even though he had not obtained a certificate of probable cause. The court further held that there was a specific and express showing on the face of the record that defendant waived his constitutional rights, and that the trial court was not required to advise defendant that by pleading guilty he was waiving his right to raise on appeal issues antedating the proceedings on his pleas. The court also held that the trial court was not required under former Pen. Code, § 1170.1, to fix the indeterminate life sentence as the principal term. The court held that the trial court's error in failing to state reasons for imposing a consecutive term for a count of robbery was not prejudicial. (Opinion by Elkington, Acting P. J., with Newsom and Grodin, J.J., concurring.)

## People vs. Daugherty

Summary 123 Cal.App.3d 314

Following sentencing of defendant on her conviction of a grand theft charge pursuant to a negotiated plea, defendant was arraigned and held to answer on three similar theft charges that were pending at the time of her plea bargain, despite the prosecution's promise not to prosecute her on any similar charges based on any acts of defendant prior to the bargain. Though one of the three charges was subsequently dismissed, defendant was convicted and sentenced to middle state prison terms of two years on each of the other two charges, after her motion to dismiss the charges on the ground she was entitled to specific enforcement of the prosecution's promise against additional prosecutions was denied. The trial court found that by accepting without protest sentencing on her guilty plea, defendant has waived the prosecution's breach of its agreement against additional prosecutions on similar charges. While the prosecution had agreed not to prosecute defendant on similar charges, defendant's right as specifically set forth as part of the plea bargain to withdraw her guilty plea on the breach of the prosecution's agreement applied only to a breach involving a prosecution of charges pending at the time of the bargain. (Superior Court of Santa Clara County, No. 75186, John A. Flaherty, Judge.)

The Court of Appeal reversed and remanded to the trial court for reconsideration of defendant's motion to dismiss. It held that any substantial ambiguity with respect to a plea bargain in a criminal prosecution is required to be resolved in favor of the defendant. It further held that the bargainers must conduct themselves openly and with the utmost fairness, and that subject to the trial court's power to reject a plea bargain in the exercise of sound judicial discretion, if the plea rests in any significant degree on a promise of the prosecution that can be said to be part of the inducement or consideration, the promise must be fulfilled. It additionally held that withdrawal of defendant's guilty plea is not defendant's only remedy, if the prosecution repudiates its part of the plea bargain, and that in a proper case the remedy of specific enforcement of the plea bargain is available to the defendant. It further held that the trial court erred in finding a waiver by defendant on the prosecution's breach of its agreement against other prosecutions against defendant, and that in erroneously finding defendant's waiver of the prosecution's breach, the court improperly failed to consider whether the interests of society and justice call for judicial approval or disapproval of the subject plea bargain. (Opinion by Elkington, J., with Racanelli, P. J., and Newsom, J., concurring.)

### Herman



### by Unger



# SQ Football Pirates Gear Up for Gridiron

By EZ Williams

As the summer sun slowly sets,  
The breeze picks up for fall,  
Caps are shed, helmets donned,  
The season turns to football.

Yes, football fanatics, it is that time of year once again. Bruises have healed, bones mended, teams of taped-up gladiators are ready to resume battle. Thus is true of our own padded warriors, the perennial powerhouse Pirates of San Quentin.

After two league-leading seasons, the Pirates fell short of the top last year with a record of three wins, four losses. With the acquisition of so many rookies, getting back to the top may be quite a task for Coach Mike Ferretti and his 1981 Pirate team.

Ferretti openly acknowledges that the Pirates do have a strong, sound team this year and should be tough, if injuries are kept at a minimum. Ferretti's main concern appears to be the lack of depth at most positions. The fact that quarterback and team leader Bone Walker is out with a severe case of locked-up fever doesn't help matters much. However, the Pirates do have some outstanding personnel starting for them.

The offense shows a well-balanced attack, featuring last year's Athlete of the Year, Joe Ratti, at the tight-end spot. At that position, Joe appears to be a consistent short-yardage threat, but in reality he's strong and fast enough to break open for a long gainer any time he has the ball.

Adding sheer dynamite to our ground game, Sonny Smith has returned and will be leading the charge of the Pirate backfield.

Another veteran standout, Tiny Manning can be found in the real war zone — the trenches — clearing bodies out of the way for our running-backs.

Leading the defensive counterattack is Olten Williams at the uncompromising middle-linebacker position. With

Williams dictating the action at the center of the field, it's plain to see that an opposing team will have nothing coming up the middle.

And with John Barrett and Bob Richards on each side of Williams, it's obvious that nobody will be sneaking around the corner either.

The Pirates secondary looks to be the corner stone of the defense, but the backbone of the defense is definitely the front line. Comprised of some big bad bruisers named Jones, Makaio, Lewis, and Jackson, word has it that the Pirate defensive line is about as impenetrable as a nun in a kayak.

The Pirates only real question mark is at the vital quarterback position: who will replace Walker? Ferretti assured this reporter that his present quarterbacks are quite adequate, though he will be calling the plays from the sidelines.

So if injuries are kept at a minimum, it looks to be another winning year for the San Quentin Football Pirates. For six consecutive Saturdays, beginning Oct. 17, anyone and everyone is welcome to attend the games. Kickoff time will be at 10 a.m. on the lower yard.

## San Quentin Pirates 1981 Football Schedule

Oct. 17—Concord  
Oct. 24—Coast Guard  
Oct. 31—Treasure Island  
Nov. 7—Mare Island  
Nov. 14—Moffett Field  
Nov. 21—Alameda

## Sports Brief



RECENT RACQUETBALL WINNERS, John Weichman and Wayne Parks

## Lower Yard Canteen Open on Weekends

The lower yard canteen, a project of the Men's Advisory Council, finally opened for business this month. Construction of the building, begun in February and slated for completion June 1, was reportedly hindered because of some vandalism.

The store is presently operating between 10 a.m. and 2 p.m. on weekends, according

to the MAC office. Available items include cokes, candy, ice cream, and popcorn. No cigarettes or cosmetics are currently being handled.

Profits on sales will initially go towards increasing the quantity and variety of supplies, said an MAC spokesman, then will be used to fund other MAC projects.

## Letters

Dear Editor:

I just received a copy of the California Supreme Court's decision/opinion in *People vs. Davis*, Crim. 21721 and thought you might like to print it as it affects some of the men here in San Quentin.

Defendant, who was 16 years old at the time of the offense, was convicted of murdering a 13-year-old girl with two special circumstances. Since he was ineligible for the death penalty because of his age, he was sentenced to life without the possibility of parole. He challenged the admissibility of his confession and the legality of his sentence. *Held*, conviction affirmed and sentence of life without the possibility of parole modified to straight life. The court first rejects appellant's contentions that his confession was the fruit of an illegal seizure and arrest and that his confession was involuntary. Distinguishing *Dunaway vs. New York*, (1978) 442 U.S. 200 on the ground that here, unlike *Dunaway*, the defendant was free to leave police custody and was not compelled to come to the police station to talk with the police officers, the court holds he was not illegally "seized." The court also concludes on the basis of defendant's admission that he was with the victim at the time of her death and the accounts of other witnesses that an argument was going on between the defendant and the victim at that time, that there was probable cause to arrest the defendant. The court also rejects defendant's contention that he had asserted his right to remain silent and that his confession was involuntary under *People vs. Pettingil* (1978) 21 Cal. 3d 231 and *Jackson vs. Denno* (1964) 378 U.S. 368. The defendant's mere failure to respond to questions by the polygraph administrator did not constitute an assertion of his right to remain silent, but only a reluctance to submit to the polygraph examination. The confession was otherwise voluntary.

On the sentencing question, the court read the statutory history and language as ambiguous. Former section 190.1 appears to explicitly limit use of special circumstances to cases in which the alternate penalties of life without the possibility of parole or death are possible (Death is not possible for minors). On the other hand, former section 190.4, subdivision (a) contains no such limitation. Resolving the ambiguity in defendant's favor, the court looks to legislative history and concludes that purpose of the 1977 law under scrutiny was not to alter the longstanding maximum sentence applicable to minors, but simply to enact a capitol sentencing scheme that would survive constitutional scrutiny under *Gregg vs. Georgia* (1976) 428 U.S. 153 and *Rockwell vs. Superior Court* (1976) 18 Cal. 3d 420. The legislature could be expected to speak clearly if it had intended to increase the penalty for juveniles, and it has not done so.

Paragraph two and three are brief summary of the California Supreme Court's opinion in *Davis*.

Persons who committed their crime after the November date (11-7-78) will have their sentence reduced, if they were juveniles, to *twenty-five years to life*. This will make them eligible for parole at 2/3 of twenty-five years. Persons who committed their crime before 11-7-78 date will have their sentences reduced, if they were juveniles, to *seven years to life*. This is my understanding of the law.

One final note. There are several cases in the California Supreme Court just like the *Davis* case, of course not all of them are dealing with the same issues. *People vs. Williams*, Crim. 21783, on whether a special circumstance finding can be stricken in a life without case; in *People vs. Zimmerman*, Crim. 21858, on whether life without is cruel and unusual punishment; and in *People vs. Ramos*, deals with the felony-murder rule.

Hopefully some of this information will help those of you that are affected by the above mentioned cases. For further information you should contact your appellate attorney.

Respectfully Yours,  
Frank M. Claxton C-07705 Max B

## SanQuentinNews

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin.

The opinions expressed herein do not necessarily reflect those of the administration, nor the prisoner population and should be considered solely as the opinion of the individual author unless otherwise specified. Articles without bylines should be attributed to the editor.

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## La Mexcla . . .

Continued from page 1

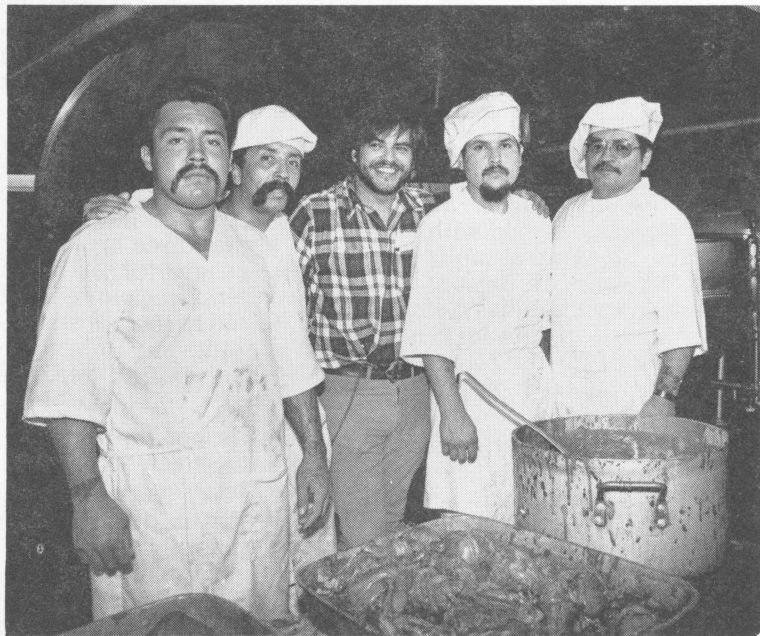
who earlier had delivered an inspiring poem in Spanish.

Following the entertainment, cons and guests joined costume, Los Matlachines livened the show with a colorful display of traditional festive clothing and folk dancing.

Introducing their style of Nortenia music was the four-member band, Los Trovadores. Joining this group for one number was Rafa Herrera,

together for a festive feast of Mexican food, which was prepared by Gabby Sanchez, Bobby Lucio, Gato Gonzales, and Pancho Morales, under the supervision of free cooks Mr. Narvarro and Mr. Adler.

Many cons and guests commended the members of La Mexcla later for their remarkable courtesy and hospitality shown their outside supporters.



CULINARY CRAFTSMEN, Gabby Sanchez, Bobby Lucio, Mr. Navarro, Gato Gonzales and Pancho Morales



SQ ROCK BAND NECKA

## The House . . .

Continued from page 1

"Playground facilities constructed with the loving and caring talents of some prisoners, provide hours of joy-filled recreation for the kids in the spacious backyard of The House," said Keelty.

"It's just beautiful witnessing the love-support of the prisoners and outside community members, as they donate their time, labor, money and various goods of all types — which are always needed and welcomed with heartfelt acceptance — in a common effort of maintaining humanitarian communication."

"We really have some fine grass-roots support from this community. Church groups donate — on a regular basis — food, clothing and monthly contributions. Individuals, including ex-cons, drop by with plants, toys, clothing, cakes, casseroles, contributions — the list is endless, thus aiding in the support of the helping-people-to-help-other-people attitude of The House staff."

Currently The House maintains a full-time professional staff consisting of two paid coordinators, Keelty and Stilian, along with the volunteers.

These House members are supplemented with the volunteer services of students and faculty members of the College of Marin, high school students of the Marin County School District and participants of the Alternative Sentence Program

of Marin County.

Another service of The House is its referrals to legal, welfare, lodging, housing, and other critically needed resources.

"We handle any and all problems," said Keelty. "If we can't help you, we'll help you find someone who can — which, in quite a few instances, turns out to be yourself."

The House also acts as a liaison between prison officials and visitors, helping visitors to understand the prison rules. While enjoying an amiable rapport with the prison officials, The House staff is able to help both the administration and the visitors in rounding out their respective troubles.

"The environment at The House is caringly warm with a sense of security," said Keelty. So if people just need a place to sit and talk about their troubles, we are there for them. We offer informal counseling in a relaxed setting in which problem sharing can provide a source of social and emotional support."

The House relies on private support. Additional help is urgently needed, whether in the form of food, money, or volunteer time.

For further information concerning this critical link in the lives of thousands of visitors to San Quentin, contact: The House at San Quentin, 2 Main Street, San Quentin, CA 94964 (phone (415) 456-4200).



# SQ Attorney Rooms Bugged

## Officials Admit Bugging; Wired On Sumner's Orders

By Erik Ingram  
Independent Journal

Two attorney visiting rooms at San Quentin have been bugged with eavesdropping equipment for the last four years, a prison official told a stunned Marin courtroom Oct. 30.

Associate Warden William D. Nyberg quickly added, however, that to his knowledge prison personnel never listened to any confidential attorney-client discussions.

The equipment was disconnected Oct. 29, he testified.

Under section 632 of the state Penal Code, eavesdropping on confidential attorney-client discussions is a felony.

The admission that such discussions could be monitored brought a ripple of dismay to the usually placid face of Superior Court Judge Joseph Wilson.

Nyberg, an associate warden at San Quentin for nine years, testified that the eavesdropping equipment was ripped out on the orders of Acting Warden R. L. Pulley, who didn't know it existed.

It has been alleged in court that the bugs were authorized in 1977 by former Warden George Sumner.

The issue was brought to court by six inmates accused of assaulting guards. They claimed they have been denied effective legal assistance because they could not speak freely in the interview rooms.

Attorneys for the six inmates submitted the affidavits of two former prison guards — Robert Milloy and Robert Cleek — who said they believed the rooms were bugged.

Milloy asserted that Sumner, the former warden, took part in the plan to wiretap the internal phones that attorneys and inmates, separated by glass partitions, use to talk. The wiretap led to a secret extension phone located in the overhead guard cage in the visiting center.

Deputy Attorney General Charles Kirk, representing prison officials, told Wilson at the outset that he was opposed to the hearing unless the inmates' attorneys could prove that an eavesdropping device "exists today."

When Wilson indicated the hearing would proceed, Kirk announced that Nyberg was ready to testify that "at one time, years ago, a provision was installed to make it technically possible to overhear conversations in two attorney workrooms."

"That technical possibility no longer exists," Kirk said.

It wasn't until Nyberg testified that it was learned that the secret extension phone was not disconnected until one day before the hearing.

Nyberg said he had known some areas of the visiting center were monitored but didn't know which rooms.

He said he checked after receiving word of the court action and discovered that there were wiretaps in two of the five at-

torney rooms.

He said the monitoring device was installed as a security measure to listen to high-risk inmates and their non-attorney visitors who use the rooms on weekends. It is not illegal to eavesdrop on those conversations.

But Nyberg, who said he wasn't involved in the installation, couldn't explain why the two attorney rooms were bugged and not any of the areas normally used by inmates and their non-attorney visitors.

Nyberg said authorization to monitor conversations had to be approved by Sumner. Only Sumner, the lieutenant in charge of intelligence, and the prison locksmith had keys for the locked box the phone was kept in, Nyberg said.

Nyberg said he didn't know if records were kept of who was monitored and what was said.

Guard Robert E. Hansen, called to testify by the inmates' attorneys, told Wilson that he participated in one eavesdropping incident but couldn't remember if it involved an attorney-inmate conference.

He said he was asked to listen to the conversation by an aide to Sumner.

Hansen said he didn't know if conversations were ever taped.

Phil Guthrie, a spokesman for the state Department of Corrections, told the press Oct.

29 that the allegations of eavesdropping were false. He said the prison "does not have any kind of listening devices in rooms where attorneys are taken to meet with inmate clients."

The court testimony proved him wrong.

Guthrie subsequently stated that "we feel comfortable" that the bugging at San Quentin has not been duplicated at any of the other state's prisons.

He said, however, the CDC does not plan to inspect other prisons.

Attorney Elizabeth Sapanai, representing one of the six inmates, urged Wilson to allow attorney-inmate interviews to be held in the county jail or some place else outside the prison.

She said there is no proof that other monitoring devices don't exist, as Nyberg asserted.

"They were willing to listen regardless of knowing it was wrong," added Isidore Bornstein, another defense attorney.

"There is no evidence it was used to monitor attorneys," countered Kirk, who said all devices have been ripped out.

Judge Wilson, saying the Sheriff's Department has neither the room nor the manpower to allow the interviews in the jail, agreed that for the time being the prison's visiting center can be used.

"I believe what Nyberg said," Wilson said.

However, he continued, some means of assuring that attorney-inmate discussions at the prison are confidential must be found.

That may be through the use of outside experts to search the area, he added. The hearing will continue Nov. 13.

### MAC BBQ Sale

The Men's Advisory Council (MAC) announced recently that it is now accepting orders for another barbecue sale.

MAC spokesman Craig Johnson said mainline prisoners may order the beef ribs or BBQ beef sandwiches. Lockup unit prisoners may purchase only the sandwiches. All orders are \$5 and they include potato salad, barbeque sauce and bread. Cokes are 35 cents extra.

Trust withdrawals must be turned in to the MAC office by Nov. 20. Prisoners may pick up their orders on Dec. 12.

### L.A. Bus Due Nov. 21

The San Quentin visitors' bus from southern California will leave the Los Angeles area the evening of Nov. 20, allow visiting for the next two days, and return on the evening of Nov. 22.

The bus is provided through the Help Public Service Foundation, a private non-profit organization, at 5311 S. Degan, Los Angeles, Ca 90008. Their telephone number is (213) 292-0144.

## Two Incidents Lock Down Mexican-Americans

Two separate incidents near the first of this month brought about lockdowns for the east and west blocks, and left the Mexican-American populations of both units slammed for an extended period.

According to Information Officer Mike Madding, the west block incident came to light at 11:45 a.m. on Oct. 31 when a prisoner approached a south rotunda officer with blood on the side of his mouth and what appeared to be a burn on his neck.

The victim was then escorted to the prison hospital where he received emergency medical treatment for strangulation, said Madding. Because of the trouble the victim was having in breathing, he was transferred to Marin General Hospital.

The west block was then placed on total lockdown status. Madding reported there were no witnesses to the incident, nor was there a motive known.

A four-foot piece of rope, said Madding, was found in the victim's cell.

He was subsequently returned to the San Quentin hospital where he was reported in good condition.

All but the Mexican-American segment of that unit was released from the lockdown Nov. 2 and it was totally lifted Nov. 10.

At 5:30 p.m. on Nov. 2, the entire east block was placed on lockdown status after a Mexican prisoner was found in his cell, the victim of a severe beating and stabbing, according to Madding.

Madding's report indicated that the inmate was rushed to the prison hospital for emergency treatment of a laceration on the back of his hand, a minor stab wound to his right shoulder, and numerous contusions on his face. After treatment he was admitted to the hospital for observation.

Madding also stated that at approximately 6:40 p.m. during a cell-to-cell unclothed body check, an inmate was found to have bruises on his face, and scratches on his back, arm, and hands. He was examined at the clinic and placed in Ad Seg pending investigation.

Madding explained that the yardside of east block was initially locked down as a precaution. The motive for the assault was not disclosed.

All but the Mexican population in east block were released from the lockdown the following day, leaving the lockdown still partially in force our Tuesday deadline.

— WEEKEND MOVIE —

### 'Bustin' Loose'



SCOOTER STAMPEDE

## Annual Bike Show Held At SQ

By EZ Williams and Robert Endy

After a lot of work, several setbacks and the inevitable headaches of planning such an event, the powerful rumble of Harleys created an awesome sound rolling through the sallyport gate Nov. 8 to kick off the annual San Quentin Bike Show.

And if the 30-or-so Southern California bikes sitting on the lower yard were not a wonder in themselves, consider the accompanying entertainers: Joan Baez, Norton Buffalo, Nightfood, and High Noon — all here to help make a special day for San Quentin cons.

Approximately 25 other bikers, as well as a parts truck, were denied entrance to the prison for various reasons, such as improper ID and wearing bluejeans. There were no problems with CII clearances, said Sgt. Reed.

Anticipation: convicts milling around on the lower yard waiting for the show to start: the convict work crew unloading the sound equipment: the SQ News collaborating on news-type stuff.

Ahh, the rumble of Harley Davidsons coming through the sallyport. Whats this? An SQ guard riding the lead scooter? Will wonders never cease! As it turns out, three SQ guards rode their bikes to the show; Sgt. Englund on his '80' Superglide; Lt. Brown on his really clean-looking '76' Shovelhead; and C/O Fulkerson on one of his two '69, Shovelheads.

Though there were no show-bikes present this year, there was a fine assortment of

Shovelheads and Panheads ranging from a 1948 model to present models. A few of the bikes were stock, but most were modified to some extent.

As the scooters pulled into the roped off area, the cons on the lower yard gathered around for a closer look. Brothers from inside greeting their brothers from the streets, getting reacquainted. Talk of old times, brothers and old-ladies could be heard through out the crowd.

As the cons assembled around the display of chromed machinery, the sound equipment was steadily being set up while band members slowly accumulated back stage.

It took an unusually long

Continued on page 4



# SQ Cons Challenge Transfers

**Editor's Note** — The following supplement to the Petition for Writ of Prohibition published in our Oct. 23 edition (SQ Cons Challenge Property and Cell Standards Issue) presents an additional argument against forced transfer of prisoners under the controversial CDC computer classification system, as currently being practiced.

## I

In this Supplement, Plaintiffs add support to the primary issue relative to the cell and property standardization plan, and in addition Plaintiffs expound statutory support on the issue briefly raised in their original pleading regarding the involuntary transfer scheme of Defendants. In regard to the latter, Plaintiffs have exhausted all available administrative remedies and further such attempts would be useless, as shown herein.

## II

**The Request for a Temporary Injunction:** In Plaintiffs original pleading, the contested property and cell standardization plan (AM-4600) was the primary issue. It raised both valid due process and ex post facto concerns, and Plaintiffs requested immediate temporary relief in the form of injunctions to prevent Defendants from further contravention of Plaintiffs rights by either the implementation of AM-4600 despite Plaintiffs protests or by punitive transfers from San Quentin. This Court chose not to acknowledge the emergency nature of the pleading, and it did not grant either injunction. Fortunately, on September 17, 1981, Defendant Rushen issued AB-81/67 postponing indefinitely "(T)he implementation of the July 31, 1981, AM/158, revision to Chapter 4600, Inmate Personal Property, of the Administrative Manual. . . ." This official postponement temporarily calmed the prisoners at San Quentin relative to that issue.

Plaintiffs are currently being told by San Quentin staff that Defendant Rushen, et al, is again contemplating the implementation of AM-4600 in the near future, and that she has promoted former San Quentin Deputy Warden Carl Larson to a Central Office position with the responsibility to develop a means to implement AM-4600 at San Quentin. One of these means has already taken effect as Defendants have begun transferring the older prisoners who have the most years and, subsequently, the most property and cell furnishings.

Plaintiffs suggest that this Court perhaps does not comprehend the complete character or seriousness of this issue, or that Defendants, anticipating the Court's reluctance to intervene in prison operational matters, will exploit and are exploiting the Court's reluctance to seek less obvious but still unlawful means to contravene the rights of prisoners, to the extent that Defendants have created riot-conditions at San Quentin and continue to exacerbate these conditions.

Plaintiffs, in both their original pleading and within this supplement, present sufficient cause to be granted both injunctions.

## III

**The Original Pleading: Conditions at San Quentin:** In their original pleading, Plaintiffs raised the issue of conditions at San Quentin, in light of Defendants current plans and procedures, and urged that conditions would be found cruel and unusual punishment by any standard. In regards to these conditions, Plaintiffs submit the contents of Supplement Exhibit #1, which contains various newspaper articles relative to the conditions at San Quentin. Of particular note is the Friday, October 3, 1980, edition of the San Quentin News which, beginning at page two, carries the text of the 1979 California State Bar Association's evaluation of California prisons, part one. Their report on San Quentin begins on page three.

Specific issues mentioned by Plaintiffs ranged from unhealthy conditions in cold, drafty cell-blocks, to the cutback in education and other rehabilitative programs, to the dangerously unhealthy conditions in food service.

Plaintiffs further urge this

Court, when considering the cited statutes argued in the following section IV, to apply their meaning to the conditions issue as well, for they are equally applicable.

## IV

**Section 3375, CAC, Classification & Transfer Procedures:** While the primary issue in the original pleading concerned an issue of property rights and prison conditions, the central theme, as here concerns the balance between prisoners rights and the latitude of discretion which prison administrators enjoy in the operation of the prisons. Plaintiffs submit here that such administrative discretion must operate within interconnecting statutory parameters, a fact conceded by Defendants in Supplement Exhibit #2.

Section 3375 represents the policies and procedures the Defendants theorize would best suit current legislative and correctional goals that the Department of Corrections "... house each inmate at the lowest custody level consistent with his or her classification."

The classification and transfer scheme was challenged in *Everly Stoneham vs. Ruth Rushen* (December 1980), No. 100852, Marin Court, Judge Broderick presiding. In *Stoneham*, Defendant Rushen was prohibited from implementing her classification and transfer plan until after public hearings required by law. After these hearings, however, *Stoneham* filed with the Court of Appeals where his suit is currently pending.

In the instant matter, the involuntary transfer scheme threatens basic statutory rights of prisoners and has subjected many prisoners to grievous loss in terms of vocational and avocational investments, and in terms of disrupting family support systems and proximity.

**The Penal Code:** Abuse of discretion resulting in a violation of prisoners rights is a rather difficult argument to litigate, primarily due to the courts traditional deference to the presumed integrity and professionalism of the administrators and personnel of the Department of Corrections. Yet it is hardly unknown to find that, all over the country, courts have found prison officials operating completely out of the realm of reality to the extent that it shocked the public conscience. Plaintiffs suggest perhaps that this Court presides in a posture similar to that expressed by the California State Bar, that:

"It is commonplace to convert the reality of human misery into abstraction. After World War II, many people who lived but a short distance from the concentration camps, or whose neighbors disappeared in the night, never to return, rationalized those grim facts. It is easy to ignore the conditions of our prisons and to pretend they do not exist. If we ignore what we cannot see, or rationalize what we cannot accept, inequities and injustice will never be confronted and corrected."

"The people who are directly involved with administering the correctional system in the State of California are committed to policies that render useless any serious effort to improve the system. There are many reasons for this, not the least of which is that, while most of those in authority are decent and well-motivated persons, they have adjusted to what they see and are no longer horrified by the conditions in which they work nor repelled by the dehumanizing process they superintend."

As part of this litigation, Plaintiffs challenge an administrative interpretation as to how a new classification and transfer scheme is to operate and whether it is, as Defendants claim, operating in the best interests of the state and the public. Plaintiffs allege that this new system, as practiced, not only violates their statutory and constitutional rights, but that it severely militates against compelling public interests of protection. Plaintiffs allege that the practice of Section 3375 defies logic and reason.

In those regards, Plaintiffs quote again the State Bar's conclusions that:

"The State's lack of motivation is manifested by the brutalizing qualities of the prison system. The inmates' lack of motivation is manifested by abhorrent behavior within the institution and recidivism after release. It is not exceptional to review an inmate record and find that he has a release date, has served his time in a 'lock-up' situation in which he was denied most human amenities, his anger and frustration reinforced by his experience, and about to be released into the community unequipped to do anything other than express his contempt for society by committing further crimes."

"We are now warehousing human beings in conditions that are fit for neither man nor beast."

Plaintiffs here present a statutory perspective that clearly reveals that, although rehabilitation is no longer the purpose of imprisonment, the Legislative posture hardly precludes rehabilitation as an intrinsic function of imprisonment, nor does the Legislative posture, by any stretch of the imagination, condone warehousing of prisoners.

Plaintiffs begin by examining what the statutes of California say about the qualifications, duties and responsibilities of the Director of Corrections. According to Penal Code Section 5051.2:

"The Director of Corrections shall have wide and successful administrative experience in adult or youth correctional programs embodying rehabilitative concepts."

Obviously, such a background is essential in proper administration of the prisons. Yet neither Defendant Rushen nor any of her executive committee members except one have worked in a prison. Defendant Rushen's professional background is from probation and parole only. Penal Code Section 5054 states:

"The supervision, management and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline and employment of persons confined therein are vested with the director."

Penal Code Section 5055 continues:

"All powers and duties granted to and imposed upon the Department of Corrections shall be exercised by the Director of Corrections."

To implement procedures for the proper administration of the prisons, according to Penal Code Section 5058(a):

"The director may prescribe and amend rules and regulations for the administration of the prisons."

That control over, administration of, and promulgation of rules and regulations must conform to the Legislative intent in all aspects in accepted law. But what does that entail? Does it mean that the Director has such latitude, on whim and caprice, as to formulate regulations and procedures that are contrary to statutory intent or the rights of prisoners or the interests of society? Plaintiffs suggest a view of the statutory implications that give direction and parameters for the treatment of prisoners.

Penal Code Section 5080 empowers the Director to transfer prisoners from one institution to another. This is to allow the Director to place a prisoner in the institution most suitable to his needs taking necessary security and classification factors into consideration. That the Director must treat prisoners as individuals is clear from the implications of several statutes.

Penal Code Section 5068, for example, requires an examination and study of each prisoner, and to use that investigation as the basis for determining the prison to which the prisoner will be placed. Penal Code Section 5079 mandates facilities and personnel for a psychiatric and diagnostic clinic and branches thereof. As stated:

"The work of the clinic shall in-

clude a scientific study of each prisoner, his career and life history, the cause of his criminal acts and recommendations for his care, training and employment with a view to his reformation and to the protection of society. . . ."

That this objective concern is on-going during the prison process is in concert with Penal Code Section 5068 that:

"Before the release of any inmate committed under subdivision (b) of Section 1168, the director shall provide the Community Release Board with a written evaluation of the prisoner."

It is clear that warehousing of prisoners is not the Legislative intent of imprisonment. Assuming, then, that prisoners have a statutory right to participate in the reformatory process, for which Penal Code Section ---- authorizes reduction of the prisoners's sentence, Plaintiffs turn to the issue of prisoners, rights.

Penal Code Section 2600 states:

"A person sentenced to imprisonment in a state prison may, during any such period of confinement, be deprived of such rights, and only such rights, as is necessary in order to provide for the reasonable security of the institution in which he is confined and for the reasonable protection of the public."

This protection is further stated in Penal Code Section 2652:

"It shall be unlawful to use in the prisons, any cruel, corporal or unusual punishment or to inflict any treatment or allow any lack of care whatever which would injure or impair the health of the prisoner, inmate or person confined. . . ."

The punishment for violation of these sections are found in Penal Code Sections 147, 673, 2653, and 661.

**Penal Code Section 147:**

"Every officer who is guilty of willful inhumanity or oppression toward any prisoner under his care or in his custody, is punishable by fine not exceeding two thousand dollars, and by removal from office."

**Penal Code Section 673:**

"It shall be unlawful to use in the reformatories, institutions, jails state hospitals or any other state, county, or city institution any cruel, corporal or unusual punishment or to inflict any treatment or allow any lack of care whatever which would injure or impair the health of the prisoner, inmate, or person confined: . . . Any person who violates the provisions of this section or who aids, abets or attempts in any way to contribute to the violation of this section shall be guilty of a misdemeanor."

**Penal Code Section 2653:**

"Every person who is guilty of willful inhumanity or oppression toward any prisoner in a State prison and under his care or in his custody, is punishable by fine not exceeding two thousand dollars (\$2,000), and by removal from office."

**Penal Code Section 661:**

"In addition to the penalty affixed by express terms, to every neglect or violation of official duty on the part of public officers, state, county, city, or township, where it is not so expressly provided, they may, in the discretion of the court, be removed from office."

These sections leave no doubt that the Legislative view is that prisoners must not be mistreated, or treated in such a way that threatens the ultimate goal: the protection of society. In this regard, Penal Code Section 1170.2(b) states, in part:

"... that the necessity to protect the public from repetition of extraordinary crimes of violence against the person is the paramount consideration."

**The Issue of 3375:** With that in mind, Plaintiffs turn to the crux of this litigation regarding Defendants' rules, policies, and regulations of CAC Section 3375, not as officially published but as practiced by Defendants. Plaintiffs do not allege that Section 3375 as pub-

lished violates their rights but that Defendants' implementation of Section 3375 does not conform to what is officially published, and that it is the implementation and practice that blatantly violates their rights.

Section 3375 embodies the concept of Penal Code Section 5068, *supra*. It requires that the classification process be an on-going process of "reviewing the individual inmate's needs, interests and desires, in keeping with the institution's and the department's responsibilities as to the effect on the individual, other inmates, staff and public safety." Section 3375 further requires both written notice and written results of classification hearings, particularly any classification hearing that may have an adverse effect on the inmate, and especially when the classification hearing "includes the consideration of a newly calculated or recalculated classification score," since such a recalculated score normally and routinely means that the inmate's file will be sent to the CSR (Classification Services Representative) for transfer to another institution of the same, newly recalculated score level.

In practice, Defendants and their classification agents, are not complying to any section of 3375 except (a). Defendants are refusing to consider the inmate's needs, interests or desires, no notice is being given, score recalculations are performed in absentia, transfer hearings are held in absentia, and transfers occur without any notice other than the ducat-pass the inmate receives on his cell bars a day or two before his transfer, said ducat-pass instructing him to report to Receiving & Release with his personal property. Defendants' blatant abuse and disregard for Plaintiffs' rights and needs have had and are having the following effects.

1) **Vocational** — Inmates of all institutions, including San Quentin, are and have been subjected to involuntary transfers despite substantial investments of time in vocational programs not available at the receiving institution. Such disregard on the part of Defendants not only adversely interferes with the inmate's ability to prepare for release and for a successful return to society, but it militates against the ultimate protection of society. It also puts the public in the position of financing vocational programs that the prisoners cannot participate in with an expectation of completing the training. Further, an inmate fortunate enough to complete a course may be transferred involuntarily to another institution for the remainder of his term — in some cases, for years — where he loses vital exposure to his chosen trade.

It is common knowledge that many offenders commit crimes for economic reasons due to lack of skills. Defendants' implementation of Section 3375 impairs these offenders' ability to rehabilitate themselves, which is contrary to Penal Code Section 5079, 2600, 2652, and 1170.2(b), *supra*.

2) **Family Considerations** — In one of Defendant Rushen's first statements to the prisoner population, she stressed her intent to implement procedures that would strengthen family units. Her current practice regarding transfers of inmates shows to the contrary. Many men whose families are in the area of the institution moved there to be near the inmate. Many of these families are on welfare, receiving assistant support from the inmate, or the spouse is working. Defendants have shown total disregard for these prisoners and families, and have transferred the prisoners without any consideration for the effect on the prisoners or their families. Family ties are disrupted, relationships have terminated, and there have been financial hardships incurred by these prisoners and their families. This has caused deep bitterness among many prisoners and an attitude not conducive to respect for

Continued on page 3



# New MAC President's Message to Population

By J. R. Butts  
MAC President

From time to time you will be seeing MAC involvement in and around the institution working for improvement. The food service is just a starting point and will extend to all problem areas where we are authorized to go.

The food service department has a shortage of medium custody workers to work on the serving line. As a result, the line moves slower, spilled food piles up on the serving line, and by the time the next unit comes through to eat it looks like a garbage dump because there isn't enough servers to serve and keep the line clean.

We are proposing to the warden and the assignment lieutenant the possibility of screening more close custody inmates for medium custody to provide workers for the food service department the same as is being done to provide workers for the furniture factory.

Contrary to the beliefs of a lot of staff, there are still a lot of close custody people that want to go to work, go to school and get into programs, whether it be a vocational trade, activity group, one of the therapy programs, hobby, drug program, or sports. Some may even want to learn cooking and the culinary arts, which can be learned in the kitchen with cooperative effort, even though

## ACLU Booklet on Prisoners' Rights

The American Civil Liberties Union, longtime advocates of all types of personal civil rights, has composed a basic primer of specific rights for prisoners.

The primer explains in detail such rights as representation at parole hearings, access to the media, political and religious beliefs, etc.

This book is available free of charge to prisoners by writing the nearest ACLU office. The local office for San Quentin is; American Civil Liberties Union, 814 Mission St., San Francisco, CA 94103.

# Cons Challenge Transfers . . .

Continued from page 2

the law, its officials, or for responsible conduct.

3) **Handicraft Workers** — As pointed out briefly in the original pleading concerning handicraft workers, there are many inmates who have been actively engaged in the handicraft program for many years. Some of these prisoners have substantial financial investments and inventory. As a rule these men have caused no disciplinary problems within the institutions, but have acted responsibly. Some of these help support their families by sending money from their profits. Defendants transfer practice completely disregards the needs and desires of these men, which results in substantial grievous loss.

4) **Prisoner Privilege Status:** — At San Quentin, many of the prisoners participate in an incentive program that allows them, especially in the Honor Block, certain privileges they automatically lose when transferred to other institutions. Some of these privileges include cell furnishings, open block freedoms, musical appliances, and televisions, items and privileges not allowed at other prisons. The incentive structure allows prisoners to achieve stability in their confinement. These aspects must be earned by years of good conduct, yet Defendants, besides attempting to remove them without good cause, transfer these prison-

ers against their will, resulting in grievous loss.

5) **Literal Indeterminacy:** — One of the primary motives for changing the 1917 Indeterminate Sentence Law was that it would eliminate the state of indeterminacy prisoners were subjected to by not knowing how long their imprisonment was to be. This state of indeterminacy was responsible for a substantial portion of the violence and dissension within the prisons. Defendants' implementation of Section 3375, by completely disregarding the prisoners' needs and interests and by keeping them always under the potential threat of reclassification and transfer without notice or consent has thus placed all prisoners under the most literal state of indeterminacy possible. It creates tensions and anxieties, and violence.

6) **Prerelease Planning** — The instability incurred by prisoners under the practice of Section 3375 militates against prisoners trying to prepare for release and for successful reintegration into the free community.

7) **Level IV** — The designation of prisoners as Level IVs, for which they will be placed at San Quentin or Folsom causes an unfair discrimination. Inmates newly arriving with life sentences are routinely classified as Level IVs, the same as "management-problem" inmates assigned to San

Quentin or Folsom because of disciplinary infractions at other institutions. Both San Quentin and Folsom are designated as Level IV institutions, and Defendants state that both prisons are to become, in essence, warehouses, with little in the way of vocational or other training, and without an atmosphere conducive to prisoner reform. Life prisoners traditionally have been the most stable and most constructively motivated prisoners, yet these new life prisoners are routinely denied participation in the reformatory process and will be denied same for many years.

The essence of this situation militates against the public interest, and the administrative designation of San Quentin and Folsom as Level IV warehouses is contrary to Penal Code Sections 2022 and 2032, which state that the primary purposes of San Quentin and Folsom, "... shall be to provide confinement, industrial and other training, treatment, and care to persons confined therein.. There has been no statutory change permitting a change in the purpose of either prison.

V

## M-2 Sponsors Xmas Boxes

Prisoners without family or friends to send them a Christmas package this year may receive one from the M-2 Sponsors program, according to Randy Montgomery, regional director at Hayward.

When the Christmas package authorization forms are distributed to the units, simply fill one out and send it to the Activities Coordinator, M-2 Sponsors, in the prerelease building.

M-2 Sponsors, Inc., will direct the form to a member in the community who may then send the prisoner a package.

Because the M-2 Sponsors don't know how many men will be sending in forms, however, they cannot guarantee that everyone will receive a package. The forms will be processed in the order they are received. Forms must be turned in by Nov. 25.

Be sure to clearly print name, number, housing and clothing sizes where appropriate.

Prisoners should be aware they may receive only *one* Christmas package — regardless who sends it. If a prisoner receives a package from an M-2 Sponsor, he will not be allowed a later package from a relative or friend. Also, no packages will be distributed before Dec. 1.

with Section 3375. Plaintiffs were informed that Defendants' position is that personnel engaged in the classification and transfer scheme would continue in the same manner, and that if the prisoners didn't like it they could take it to court.

It is clear then that Defendants have shown total disregard for not only their own policies and regulations as officially stated but for the enabling statutes as well. Plaintiffs allege a deliberate and malicious disregard of their statutory rights and protections by Defendants. Plaintiffs contend, therefore, that there is a clear violation of Penal Code Sections 2600, 2652, 5068, and that the penalty provisions of Penal Code Sections 147, 661, 673, and 2653 are valid considerations before this Court.

Defendants have deliberately misused the Court's traditional "hands-off" policy and presumption of the integrity and professionalism of correctional officials to implement and practice treatment of prisoners that militates against their mental health and against the protection of the public, "... from repetition of extraordinary crimes of violence. . . ." At San Quentin, Defendants' actions have created an environment that is substandard and conducive to violence.

VI  
Prayer

# Letters

Dear Editor:

In reference to Jimmy Price's Bastille column (Oct. 23) I give the gentleman credit for his effort and for rappin' a mean rap, but he should tell it like it is instead of making statements that are only dreams and can, in most cases, get people into trouble.

I'm referring to his statement in paragraph four, which reads: "anyone but the only one who can do anything about anything is the guy inside our individual selves. And the real question we each need to ask ourselves is: What can I do about it?"

Well I'll tell you what each of us as individuals can do about it. If the grievance or grievances are of major institutional concern, we can't do a damn thing about it in nine times out of ten. In short, it doesn't matter what institution you're at, whatever your individual grievance is, or that of even the MAC's grievances, the bottom line is that the institution's administration does what they want to do and that's that.

Even if your grievances are of justifiable cause, the administration says whatever your grievance as an individual, or as an MAC body, may be an institutional security risk or of institutional inconvenience, and nine times out of ten that is where grievances end.

Then you state, "What can I do about it," whatever the problem may consist of. Well the only thing I say about that is that I've witnessed and been a part of an MAC body that was acting and making progress for the best interest of the mainline population, but the administration didn't agree. So what does the administration do? They use the old pressure tactics on other inmates routine and roll up 20 to 30 inmates for pressuring other inmates and along with them, 20 to 30 other inmates slammed for pressuring; three-fourths of the MAC body were among the 20 to 30.

And then you say, how does this guy know what he's speaking about. Well that's an easy question to answer. I'm one of the MAC members that was slammed on a bullshit beef because myself and another MAC member cared enough to act and speak out for the best interests of the mainline population.

Yeah, so here I sit in D-section, 80 something days to the pad and waiting to go back to court because of a case I picked up in Max-B because of the cross that the CDC and the institution (Sol-edad) put me in. So I ask myself, why am I sitting here waiting to go to court and facing three more years? Well that's a simple enough question to answer; because at one time I asked myself what I could do about our mainline grievances. And you can be sure that I am just one of the many who have been given raw deals because they've also said, "What can I do about it."

The bottom line is that the administration lets you as an individual, or whatever group you represent, go only as far as they wish you to go and no further.

Telling it like it is,  
—Placencio B-90627, D-Section

Dear Editor:

On behalf of all the children who attended our Halloween party, I say thanks to those cons who were con-

cerned enough to make a contribution. And, of course, a special thanks from the children and inmate population to all of the staff members for their generous donations of candy, cookies, and art material to our Halloween party held in the Kiddy Coral Oct. 31.

To say the party was a success is the understatement of the year, as it was truly a big hit with the children. Thank you one and all for your generous contribution to what was truly a joyful event.

Because of the wonderful response from the children, convict's and staff, I am thinking of having a drive for a Christmas party for the children this year. Hopefully, the convict population will generously respond to my planned drive, so that the Christmas party can be enjoyable as was our Halloween party. So when I come around in the near future asking for donations, keep in mind that it's for *our* children, and give from your heart. Again thanks to all.

—Chiti Miller

## —Correction—

In our last issue we added a "fact" to a reprint article ("Rub-a-Dub Escapee Gets OR," Oct. 30) that John Waller had been "killed in an assault at Folsom this year." That information is untrue.

The reporting error was the fault of our editor who added the information based on "common knowledge" which, in this case, turns out to have been nothing but a rumor. Waller was apparently assaulted, but is still very much alive.

In spite of doing our best to guard against rumors, we are obviously not infallible. We learned a lesson in this and we apologize to Mr. Waller.

## SanQuentinNews

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The opinions expressed herein do not necessarily reflect those of the administration, nor the prisoner population and should be considered solely as the opinion of the individual author unless otherwise specified. Articles without bylines should be attributed to the editor.

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The Plaintiffs have presented a clear case of abuse of discretion on the part of Defendants, of disregard for statutory imperatives and rights, of disregard for Defendants' own official policies and procedures, and of lack of qualifications of Defendant Rushen to hold the office of the Director.

Therefore, Plaintiffs pray:

1) That this Court issue an injunction immediately prohibiting the current practice of involuntary transfers;

2) That this Court issue an injunction immediately prohibiting implementation of AM-4600 at San Quentin;

3) That this Court order the Defendants to conform to all CDC rules, policies, and regulations to enabling statutes;

4) That this Court order Defendants to conform their practice to the spirit and letter of CAC Section 3375 and PC Section 5068;

5) That this Court order Defendants to restrain from thwarting the statutory intent of PC Section 2600;

6) That this Court order the disqualification and removal from office of Defendant Rushen under Penal Code Section 5051.2, 147, 661, 673, and 2653;

7) That this Court order such other relief as is appropriate.

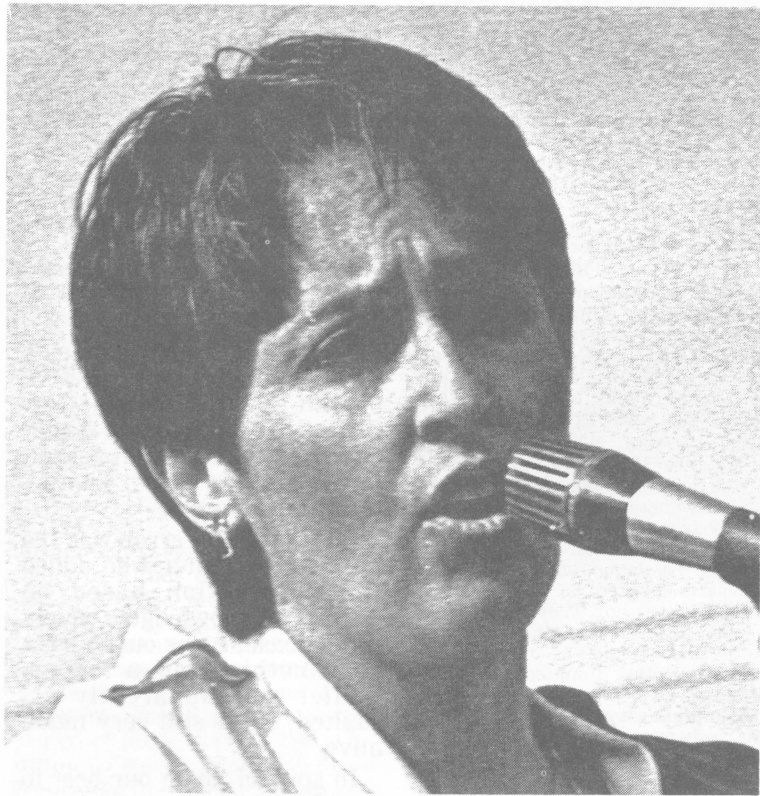


## Bike Show At SQ . . .

Continued from page 1

time to get the sound equipment ready for use. As a result, many frustrated cons left before the music ever started.

San Quentin's own rock-and-roll band, Fat Cat, was scheduled to open the show, but due to the lockdown, only three members of the band could make it.



JOAN BAEZ, "WELL I'LL BE DAMNED. . ."

The music finally got underway shortly past noon with Mickey Hart's band, High Noon, jumping into some dynamite rhythm and blues.

High Noon is a composite of top bay area musicians, brought together from well-known bands.

Norton Buffalo again made magic with his harp, while Grateful Dead drummer Mickey Hart supplied the beat. Just back from tour with George Benson, Vicki Randall helped out on percussion and vocals. Rounding out this multi-talented band was Merle Sanders on keyboards, Mike Hinton and Jim McPherson each on guitar, and Bobby Vega held the pace on bass guitar.

guitar and Bob Varricchio on keyboards.

The cons on hand then got a real treat when Norton Buffalo introduced a special guest. Donning her acoustic guitar and flawless voice, Joan Baez took center stage and proceeded to envelope the lower yard in a blanket of warm

mellow sounds.

Baez did three songs, including the popular "Diamonds and Rust," to an overwhelmingly enthusiastic crowd. She seemed unbothered by the typical verbal abuses she received from a few cons in the audience, singing her heart out to the large majority of very appreciative spectators.

She finished with a colorful little tune called "Do Right Woman," then turned the stage back over to High Noon—who boogied on into their final jam of the day.

There was about an hour in between bands, as cons, cops and freepeople all chipped in to ready the stage for the next group of performers. The News took this opportunity to rap



A TASTE OF NIGHTFOOD

free, anywhere.

When asked what inspired her to come in and sing for a bunch of cons, she stated that Norton Buffalo casually invited her to join in the fun, and she gladly accepted.

When Norton was asked what keeps bringing him back to the bastille, he jokingly replied, "The drugs are better in here." He then explained realistically, "Listening to good music takes my mind away from all the jive. For me it's an escape, an escape that I try to get across to the cons."

Closing the musical festivities for the day, Nightfood—last here for the Labor Day Show—took the stage in front of an increasingly growing audience. This band filled the air with their whimsical style of mellow country-rock-jazz tunes, which

beat on bass and drums, respectively, while Brian Lemco provided the steely sounds of lead guitar.

As the band worked their way through their first couple of songs, a Della Valle sax solo with some smokin' riffs, brought cheers from the crowd.

When asked how they would describe the style of music the band plays, Carol and manager Bob Dill came up with "a versatile mixture of rhythm and blues, country rock, Motown, reggae, swing and good old rock and roll."

Judging from the cheers of the crowd, it might safely be said that the cons were even more receptive to this band. The presence of their two lovely lead singers, Carol Joy and Cici, could have had something to do with it.

It seemed the fun had just begun, then it was over.

The stage was cleared; performers chatted casually as they made their way up the industries ramp towards the exit gate; bikers and ol' ladies mounted their chrome ponies. Then came the thunder.

It started as a mild roar, but as more engines kicked over

the roar crescendoed to a point of uncompromising force. Then, as if someone somewhere dropped a checkered flag, clutches were released and the 1981 Bike Show ended amid the roar that marked its beginning some six hours earlier.

Year in and year out, the bike show consistently provides the cons with some of the best entertainment and socializing possible. This year was no exception and plans are already in full swing to insure that next year's show keeps up the tradition.

While waiting for the show to begin, the News talked with one of the chief convict organizers, Tortuga, who said he and fellow convict Silver did most of the leg work—with a lot of help from other convicts who wanted the show to come off. Tortuga also said that Lenard Barela did most of the coordinating on the streets with the other outside bikers who came to the show.

Tortuga and the rest of the inside organizers extended a special thanks to Lt. Brown, Activities Coordinator Clarence Wilson and the other staff members who helped this year's show become a reality.



CONS MIX WITH BIKES AND MUSIC

After three foot-stomping renditions, the band made room for three members of Fat Cat, who joined in one whale of a jam session. The 10-minute jam was thunderously applauded by the many rock fans present. Helping out High Noon were Phil Burdick on drums, Bill Faught on lead

with some of the musicians and get their feelings about the music they shared with the cons.

Ms. Baez, who commented that she couldn't remember if she's played here before, explained to the News how difficult it is to get professional quality musicians to play for

seemed to lift the crowd with every song.

Nightfood, a Bolinas-based band, featured the beautiful harmonizing of Carol Joy Harris and Cici Dawn, which was accented by the radical saxophone sounds of Tony Della Valle. Dave Murray and Brant Shenkarow provided the



NORTON BUFFALO



# San Quentin News

THE PULSE OF SAN QUENTIN

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Friday, December 18, 1981

## Survey Shows SQ's Cons Want School and Trades

The compilation of a recent survey indicates that the average SQ con is, in fact, interested in educational or vocational programs here at San Quentin.

The News has conducted an educational interest survey covering 275 inmates of east block, both yard and bay side, to get a balanced opinion of mainline residents' needs and desires of the educational and vocational programs offered here.

The survey revealed that 75 percent of those men *working* felt they were not receiving adequate job skills for use on the outside. In contrast, virtually 100 percent of those men involved in an *educational* or *vocational* program said that they are receiving valuable training that will benefit them once released.

About 50 percent of the men *working* said that their pay number is a contributing factor in keeping their jobs. About 85 percent of these men stated that they would prefer to be in an educational or vocational program, but the programs don't offer a pay number.

Of the 275 cons who submitted a response to the survey, 45 of them work full time with no pay number at all. Of these 45, 31 are between the ages of 18 and 22.

The vast majority, approximately 80 percent of those surveyed, agreed that the new closed circuit TV program will be beneficial to them in the long run.

On the back of the questionnaire, some inmates contributed their written feelings and desires about the educational and vocational programs offered here.

Concerning the closed circuit TV instruction, a 20-year-old lifer stated, "I work full time, so closed circuit TV would help me and others that are Close B."

A 23-year-old con doing 17-to-life added, "I learn more when I'm relaxed so I think I would be more at ease with closed circuit TV."

A 23-year-old lifer exclaimed, "We need more educational opportunities for Close B inmates — industries should also be open to close custodies."

A 38-year-old doing 7-to-life summed it up this way, "We need more trade and vocational programs for the men on close custody. After all, they have more time. If they spend that time learning to be more productive and proficient in a reputable field, it can't help but make them a bit more at ease with themselves and others. Give hope and half the battle is won."

## 7 Cons Hurt in Max B Fracas

Two warning shots were fired in north block on the evening of Dec. 7, to break up an altercation involving seven Max B prisoners.

A statement by the warden's office indicated that two of the cons received superficial wounds as a result of the

fracas, but nobody was hospitalized.

Two prison-made weapons were found during the ensuing investigation; one a 20-inch, honed metal rod, and the other a wood and plastic makeshift knife. All prisoners involved were transferred to administrative segregation.

## Classes End For Holiday

Day and night academic classes, except college, will be in recess at the close of the day Dec. 18. The fall semester will resume on Jan. 4, 1982.

College classes will end on Dec. 17. Spring semester classes begin on Jan. 18, 1982.

Vocational and handicraft classes will operate on their usual schedule. The education department office will remain open.

## Con Stabbed In Gym Shower

A convict was hospitalized and reported to be in good condition after he was found in the gym showers, bleeding from seven puncture wounds to his abdomen and lower side on Dec. 12.

A suspect was apprehended and a seven-inch weapon was found. The dispute was reported as personal.

## Inmates Tap Nevada Prison Officials' Phones

CARSON CITY, Nev. (AP) — Inmates of the Nevada Maximum Security Prison have been bugging phones and eavesdropping on the conversations of prison officials, authorities say.

Because of the eavesdropping, inmates may have known in advance when guards planned disciplinary measures, says prison Superintendent George Sumner, a former San Quentin Prison warden who took over as superintendent of the Nevada facility. He said evidence of wiretapping was discovered Friday.

## Update on Parole Proposal

An article appearing in our Dec. 11 issue reported that a directive is being proposed which will make convicted murderers parole to their sentencing counties. More recent information obtained from media reports suggests that the directive has been rejected by remaining members of the Board of Prison Terms.

## Four Shots End AC Fistfight

Four shots were fired in the AC yard on Dec. 15, to halt a fistfight between two convicts, stated prison spokesman Mike Madding.

Madding went on to elaborate that two warning shots were fired by an AC gunman, with no response from the combatting prisoners. Two shotgun blasts were then skip fired in the direction of the brawling convicts, which halted the incident.

One convict was treated at the prison hospital for multiple birdshot wounds, then was returned to his cell in AC. The other con, reported to be the victim of the assault, received no injuries and was also returned to his AC cell.

"All the phones in the prison administration office had been breached," Sumner said. Asked how long the activity had been going on, he said, "Your guess is as good as mine."

Sumner said inmates working in the prison administration area had access to a supply room where telephone terminals were located. He said the terminals "were all marked up" where listening devices had been attached.

Guards, who had suspected wiretapping for some time,

Continued on page 3



## San Quentin Question Man

**Do you think that the upcoming industry pay raises are the answer to the furniture factory's incentive problems?**

**Brian Shipp:** I feel it's not entirely the answer to the incentive problems, but at least it's a start. As one can see now, there are more convicts desiring to work at the factory since the pay raise is coming into effect. More can be accomplished in this area; hopefully Sacramento will see the benefits in more incentive programs.

**D. Cooper:** Hell no! You have to pay people "real money" in order to motivate them to work hard. They sure as hell ain't going to improve production or solve incentive problems with the chump change they're dishin' out. And if anyone thinks otherwise, then he's probably munching on the Man's leg.

**Robert Lucio:** Yes, in a very small way. But you folks at the SQ News should inform the rest of the population that they should keep in consideration

the fact that those who do get a job at the furniture factory will not receive the 60¢ and 80¢ pay numbers that is felt should go to everyone. It should be half the minimum wage.

**Big John Ellis:** It is for me personally. I think most people have wanted to work in industries mainly for the money. With Mr. English's narrow minded perspective, money will probably remain the only incentive for working down here.

**Ernie Marshall:** I don't really know, but with the ever increasing price of canteen items, it will certainly help.

**R. T. Turner:** The new pay raises will not amount to very much because of the way the money is going to be distributed among the furniture factory workers. Over half of the work force down here will be making 40¢ an hour or less, the way the new plan is set up. More workers should be paid more since there hasn't been a pay raise in over 10 years.

## Pending Legislation

**SB 153 (Presley)** Enacts the New Prison Construction Bond Act of 1981 which authorizes the issuance of 495 million dollars in general obligation bonds for the construction, renovation, remodeling and deferred maintenance of state correctional facilities. (Must be approved by voters at general election.)

**AB 551 (Katz)** Provides that robbery or attempted robbery committed against a pharmacist shall be considered a circumstance in aggravation of the crime in imposing sentence. January 1, 1982.

**AB 66 (Lockyer)** Provides that any person convicted of first degree murder who is 18 years of age or older when the murder was committed is not eligible for commitment to the CYA but does permit CYA housing and program participation at the director's discretion.

**AB 322 (Wyman)** Provides that notwithstanding Section 1203.4 PC, with certain exceptions, a person convicted of a

felony sex offense shall not be relieved from the duty to register under Section 290 PC.

**AB 383 (Cramer)** Imposes a life term, concurrent to any other term, in specified felony cases involving the infliction of great bodily injury (GBI) or the use of force likely to produce great bodily injury. (The offender would be designated as a habitual criminal and would not be eligible for parole for a minimum of 20 years, subject only to good time credits; CYA commitment for a felony would constitute a prior prison term for the purpose of this law.) Repeals on January 1, 1987

**AB 496 (Goggin)** Sets the compensation of inmates for productive work in prisons at not in excess of one-half the state minimum wage, as specified, and authorizes the director of the Department of Corrections (CDC) to conduct a pilot industrial enterprises demonstration to provide inmate prerelease work training at community correctional centers until January 1, 1986.

## Semi-Editorial

By Joe Morse

A cop accused me of being negative last week. I've never been so insulted in my whole life. I think I'll respond to this accusation—but I do so with the understanding that I normally don't care what the cops think of the paper. However, none of the reporters turned in enough copy for this week's issue, so I'm filling space by taking advantage of a chance to talk some shit.

Me negative? Yes, I guess I am. The News continues to provide a reasonably objective balance, but I gotta admit I usually send up providing the negative views. I tend to reflect my surroundings. There are, indeed, positive things going on around SQ. The News mentions them frequently. At the same time, there are negative aspects of the institution that won't improve by not mentioning them.

The negative mood here cannot help but intensify. The population has become predominately lifers. Doing life instills its own brand of negativism, as the lifer has no idea when—or even if—he'll get out. Realistic plans become an impossibility. The only productive way of dealing with the situation is to take it a year or two at a crack—using the time to learn, grow, or at least become a slicker criminal. The uncertainty remains, however, and it isn't conducive of positive thought.

SQ itself does little to encourage productive programming. Nearly half of the general population is restricted from participation in vocational training because of having close custody. A large number of men who do have the custody required to work behind the industry wall have been forcibly transferred. As a result, indifference has become prevalent in SQ. The only prisoners who have any idea whether they will be here long enough to participate in one of the programs are those who have been excluded from participation.

It's obviously not required that prison administrators inform their captives what can be expected. It appears that no one in SQ cares to do so. The only time the News is called on is to inform the general population of a change is when some new restriction has been placed on us. It's no big thing and we'll deal with it, but it seems some what contradictory in a day and age when the average guard objects to being called a guard. "We're correctional officers," they insist. I still haven't figured out what they're correcting.

Enough excrement for ya to shovel away for one week, folks. Back to my unfinished novel about a one-eyed dwarf who becomes sexually attracted to an aardvark. With all the worries about the economy, unemployment and possible war, I think the world could use a good, old fashioned love story.





Letters

Dear Editor:

In your column, Bastille by the Bay, you wrote about prisoners being relegated to a subhuman status, and I couldn't agree with you more.

Since being here at San Quentin I have seen numerous memos, where the central theme of administrators was one of asking the prisoner population to work with the administration, so the institution can function cohesively.

San Quentin has its share of violence, and amidst the adverse conditions we must live with weekly, monthly, yearly, I'll take liberty and say it's minimal.

The administration seems to think it's their arsenal of guns and welding torches that keeps physical violence to a minimum, while we suffer in the abyssal pit of its emotional counterpart. The men who live here make up the glue that keeps the ship afloat, and they should be commended for their ability to casually respond and adapt to the spontaneous changes we've been subjected to! But we shall remain mindless emotionless animals, motivated by violence and reprisal, in the eyes of our jailers.

Is there a subliminal design behind all we must absorb daily? Is society trying to create it's own victims, by placing men in a setting of perpetual compromise and frustration? Are we indispensable pawns being conditioned to guarantee that the billion dollar prison industry continues to function? After all, doesn't every business hope for growth? The possibilities to these questions are alarming, and though I can raise them I can't give any answers.

Stay strong, my brothers, for the desires that got us through yesterday and today will get us through tomorrow.

Thank you,  
—Kelly C-6690 Max B

Nevada Bugs...

Continued from page 1

searched an inmate dormitory area just above the administration office and found a crude tube and amplifier device that could be lowered through floor vents or outside windows to monitor conversations, he said.

Sumner said guards became suspicious because "some of the things they talked about in the office, the inmates knew about it before they could put their plans into effect."

That would mean, among other things, that inmates could learn in advance when cells were to be searched for weapons, or when guards planned cell lockdowns for disciplinary purposes, Sumner said.

Besides the superintendent's office, other offices in the administration area included those of prison program director, lieutenants and captain.

Dear Editor:

AB 1512 (Filante), which would mandate the California Department of Corrections to provide visitor centers at each state prison with a population over 300, will go to the Governor in January. If he signs this bill, it will become effective January, 1983. This would assure the continuation of the Centerforce Network of Visitor Centers and authorize the development of new centers at the unserved California state prisons.

Please write a letter of support on behalf of AB 1512 to the Governor, urging him to sign this important piece of legislation (no later than December 31, 1981). Send your letter to Governor Edmund G. Brown, Jr., State Capitol, Sacramento, CA 95814

Please send a copy of your letter to Centerforce, 64 Main St., San Quentin, CA 94964.

Thank you again for you continued support of the Centerforce Network of Visitor Centers.

Sincerely,

Barbara Bloom  
Director, Centerforce

Garden Chapel Hosts  
Outside Group Dec. 19

A christian musical group called Reignbeaux will be appearing in the Garden Chapel Dec. 19, at 9:30 a.m.

SanQuentinNews

USPS 480-700

The San Quentin News is published weekly by and for the men of the California State Prison, San Quentin.

The opinions expressed herein do not necessarily reflect those of the administration, nor the prisoner population and should be considered solely as the opinion of the individual author unless otherwise specified.

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CANTEEN PRICE LIST

December 11, 1981

FOODSTUFFS		TOBACCO & ACCESSORIES CONT.		SUNDRIES CONT.		TOILET ARTICLES CONT.	
A-1 Sauce	\$1.15	Bugler, 7 oz.	2.35	Shower Slippers	.80	Soap Dish	\$ .50
Bean Dip, Jalapenos	.80	Cigarettes, Carton	\$6.00	Spoons, Plastic	2 for .05	Washcloth, White	.45
Beef Sticks	.30	Dutch Masters Panatellas	.95	Stamps	.20	HAIR ACC. & CONDITIONERS	
Candy, Bags	.70	Garcia y Vega Cigars, 5-box	.35	Sun Glasses	2.40	Alberto VO-5	1.95
Candy Bars & Lifesavers	.30	House of Windsor	.20	Sun Glasses, Clip-on	2.50	Breck Cream Rinse	1.05
Candy Bars, Ig.	.95	King Edward Imperials	.45	Tablet, Colored	.95	Chenti Panthenol Rinse	1.70
Cheese, Sliced	1.25	King Edward Specials	.40	Tablet, yellow, ruled	.75	Combs, Natural	1.25
Cheese, Loaf, 2 lb.	4.05	Lighter, Butane	.70	Tablet, white, ruled	.65	Combs, Regular	.45
Cheetos	.95	London Dock	.65	Toenail Clippers	.95	Comb, Natural Pick	1.25
Chile Con Carne	.70	Mixture 79	.55	Tumblers	.80	Combout	1.30
Chile Peppers	1.10	Papers, B&W	.15	Tweezers	.60	Dixie Peach, Ig.	1.15
Chile Sauce	.90	Papers, Yorkshire Long	1.05	Watchband, Exp.	1.80	End Paper	.90
Chunky Beef Soup	.80	Pipe Cleaners	.35	Watchband, Nylon	1.35	Hair Brush	1.40
Cookies	1.20	Pipe Filters	.15	Watch, Pocket, Westclox	9.45	Hair Food	1.85
Corn Chips	.95	Pipes, Doctor Grabow	3.00	Watch, Wrist, Timex	17.90	Hair Glo	.95
Crackers, Graham	1.05	Prince Albert, Ig.	3.85	MAGAZINES		Hair Oil Hqz	.65
Crackers, Ritz	1.20	Red Dot	.70	Air Progress	3.00	Magnetic Hair Rolls	1.05
Crackers, Saltine	.85	Rolling Kit, Bugler	1.95	Astrology for '80s	.90	Mustache Wax	1.05
Cupcakes & Fried Pies	.40	Snuff, Copenhagen	.70	Bike Lifestyle	1.75	Perm. Creme Relaxer	4.30
Dill Pickles	1.40	Top, 7 oz. tin	1.95	Choppers	1.75	Proline Combout	1.30
Donuts, Assorted	1.20	Top, Kite	.30	College Football	1.95	Proline Cond., Gel	3.35
Dry Cereal	.20	Velvet, sm.	.50	Easy Riders	2.00	Protein 29	1.35
Honey Butter	1.15	White Owl Panatellas	.75	Football Action	3.95	Roller Pins	.35
Honey Natural	1.30	SUNDRIES		Football Preview	3.25	Wave Rods	1.20
Hot Sauce, Louisiana	.50	Aerogrammes	.30	Fling	2.95	SOAPS & SHAMPOO	
Ice Cream Novelties	.25	Alarm Clock	7.30	Gallery	2.95	Shampoo, Chenti Panthenol	1.70
Ice Cream, Pint	.70	Album, Photo	2.45	Harvey	2.95	Shampoo, Head-n-Shoulders	1.20
Jalapenos Peppers	.60	Album, Refills	.55	Hot Rod	1.50	Shampoo, Prell	.85
Jam	1.25	Air Corners, Photo Mount	.35	Hustler	3.50	Shampoo, Pro-Line	.95
Marshmallows	.60	Bags, Zipper, Canvas	7.75	Hustler Humor	2.95	Shampoo, Sebuctone Tar	2.80
Mayonnaise, Miracle Whip	.65	Batteries, AA (4)	.40	Iron Horse	1.75	Shampoo, Subulux, Med.	2.30
Menueto Stew, 7 1/2 oz. can	.45	Batteries, C-size, D-size	.40	NFL Preview '81	1.75	Shampoo, Sulphur 8	2.05
Mustard	.40	Batteries, 9-volt	.60	Oui	2.95	Shampoo, Spring Feeling	1.20
Peanuts, Spanish, Salted	.80	Binder, 3-ring, 8 1/2 x 11	3.70	Penthouse	2.50	Soap, Cocoa Butter	.85
Peanut Butter	2.20	Binder paper, 3-hole	1.50	Pigskin	2.75	Soap, Dial	.55
Peacan Pies	.40	Can Openers	.40	Playboy	2.50	Soap, Irish Spring	.40
Pico Pica Sauce	.55	Christmas Cards, Box	1.69 to 3.29	Players	2.75	Soap, Palmolive	.40
Popcorn	.20	Christmas Cards	5.00	Playgirl	2.50	Soap, Sastid	1.35
Potato Chips, Bar-B-Que & Plain	.95	Cards, Greetings	.25, .35 & .50	Popular Crosswords	.99	DENTAL SUPPLIES	
Pretzels	.80	Cards, Greetings	.15 to 2.50	Rolling Stone	1.50	Binaca Breath Drops	1.15
Rolls, Assorted	1.30	Decanter, Plastic	2.05	Strength & Health	1.25	Cepacol Mouthwash	2.00
Salami	1.55	Dissolution, Regulatory	5.00	The Ring	1.50	Dental Floss	.70
Sardines	.75	Divorce, Summary	5.00	TOILET ARTICLES		Denture Brush	1.20
Soup, Cup of	.15	Envelopes, Blank	.02	Afta Shave	1.50	Efferdent Cleaner	2.00
Sugar Cubes, 1 lb.	.65	Envelopes, Color 24	.55	Brush, Shaving	3.80	Polident Cleanser	2.00
Top Ramen Soup	.35	Envelopes, Expanding	2.35	Copper Tone Tan Lotion	1.70	Poligrip Adhesive	.85
Tortillas, Floured	.90	Envelopes, Plain, Manila	.15	Cocoa Butter	1.55	Toothbrush	.30
Tortillos Chips	.95	Envelopes, Stamped	.22	Chenti Panthenol Lotion	4.30	Toothpaste, Colgate 7 oz.	1.45
Tuna Fish	1.20	Fingernail Clippers	.45	Colgate Shaving Soap, cup	.30	Toothpaste, Colgate 7 oz.	.30
BEVERAGES		Ink, Refills, Shaeffer	.15	Colgate Rapid Shave	1.05	Toothpicks	.45
Breakfast Drink	1.00	Handkerchiefs	.80	Intensive Care Baby Oil	1.35	Toothpowder, Colgate	.90
Cocoa Mix, 1 1/4 lb. bag	2.75	Padlock, Combination	3.30	Jergens Direct Aid Lotion	1.30	DRUGS	
Coffee, Hills Brothers, 4 oz.	1.90	Paper, Blue Bond 16 lb.	5.30	Magic Shave	.70	Alka Seltzer, Pk. of 2	.15
Coffee, MJB, 10 oz.	3.60	Paper, Bond 16 lb.	4.70	Mennen Cream, Brushless	.65	Clearasil	2.35
Coffee, Tasters's Choice	3.80	Paper, Bond 20 lb.	5.45	Mennen Cream, Lather	.65	Cough Drops	.35
Dairy Creamer, Maxwell	.90	Paper, Legal 26-line	10 for .13	Mennen Deod. Stick, 1 1/4 oz.	1.20	Hoffman's Energol, 8 oz.	4.90
Kool-Aid, 2 qts.	.65	Paper, Legal 32-line	10 for .16	Noxema Cream, Brushless	1.05	Hoffman's Hi-Pro Pwd., 1lb.	3.90
Lemonade, qt.	.40	Papermate Refill	.75	Noxema Skin Cream	1.35	Chapstick	.60
Milk, Chocolate, qt.	.75	Pencil, Mech	.90	Powder, Casmere Bouquet	.80	Quinsana Footpowder	1.95
Milk, Fresh, qt.	.65	Plastic Containers, 4/set	2.45	Powder, Magic Shave	.85	Tums	.30
Milk, Powdered	1.35	Pocketbook	.75 to 3.90	Powder, Mennen, Bath	1.50	Vicks Vapo-Rub	1.35
Ovaltine	1.65	Postcards, SQ (5-pict)	1.05	Powder, Mennen, Face	.90	Visine Eye Drops	1.75
Soda Pop, Canned	.30	Postcards, Standard	.13	Razor, Double II	1.25		
Tea Bags, 100	2.85	Room Freshener	.80	Razor Blades, Double II	1.70		
Tea, Instant W/Lemon	1.05	Scripto Lead	.55	Styptic Pencil	.35		
V-8 Vegetable Juice	.40	Shoe Polish, Blk/Brn	1.15				
TOBACCO & ACCESSORIES							
Beechnut Tobacco	.60						
Borkum Riff, 1.5 oz.	.75						
Bond Street	.60						





## **Lifer's Calendar**

~~1979 1980 1981~~

1982 1983 1984